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47

PROVINCIAL CONGRESS

OF

SOUTH CAROLINA, 1776.

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At the Second Session of the Second
PROVINCIAL CONGRESS of *South-*
Carolina, begun and holden at
Charles-Town, on *Thursday*, the 1st
of *February*, 1776.

The Honourable

Captain WILLIAM-HENRY DRAYTON,
as President,

Having taken the Chair,

AND the bad weather having prevented the at-
tendance of a sufficient number of members to
proceed upon business,

Mr. President adjourned the Congress to ten
o'clock to-morrow morning.

In C O N G R E S S.

FRIDAY, FEBRUARY 2, 1776.

The Congress met according to adjournment.

The resolution of a Committee for a district
between Broad and Enoree rivers, appointing John
Thomas, jun. Esq; to be an additional representa-
tive for that district, being presented, as a return,
and read :

Resolved, That, upon examining the said reso-
lution, it appears, that the said John Thomas, jun.
has not been so elected, as to intitle him to a seat in
the present Congress.

Ordered, That the Committee for the lower
district in the Fork between Broad and Saludy ri-
vers,

vers, not having yet returned any members to represent the same in the present Congress, do cause three members to be elected, in the usual form and manner, and after due notice given, as enjoined by a resolution of this Congress of the 29th of November last.

The Honourable Henry Middleton and John Rutledge, Esqrs. two of the Delegates of this colony to the Continental Congress, being lately returned from Philadelphia, and being in their places as members of this Congress, presented a manuscript copy of the journals of the present session of the Continental Congress.

Resolved, That the journals of the present session of the Continental Congress, presented by the Hon. Mr. Middleton and Mr. Rutledge, be read in this Congress.

And the journals of the Continental Congress were read accordingly, from the 10th day of May, 1775, to the 29th day of June following, inclusive.

Resolved, That this Congress do sit, to do business, from nine o'clock in the morning to three in the afternoon.

Adjourned to nine o'clock to-morrow.

SATURDAY, FEBRUARY 3, 1776.

The Congress met,

And yesterday's journal was read.

Mr. Harrington having delivered in a special return, of this date, addressed to the President of the Congress, which was read, and is as follows :

SIR,

CLAUDIUS PEGUES, Esq; one of the six deputies duly elected to represent the parish of St. David in Congress, signified by letter, addressed to the Committee of the said parish, that he declined serving the said parish in Congress : He delivered the

the letter to me, to lay before the Committee, who were not to meet till the 19th of last month; and as the Congress were to sit on the 1st instant, I, as church-warden, and not recollecting the resolve of the last Congress relative to elections, advertised the 23d of January, as a day of election for a deputy to Congress, instead of Mr. Pegues, when it appeared that William-Henry Mills had a majority of votes, of which I acquainted him by letter.

I am, Sir,

Your most obedient humble Servant,

HENRY-WILLIAM HARRINGTON.

Charles-Town, February 2, 1776.

Resolved, That a member of Congress cannot resign his seat, during the continuance of the Congress in which he took his seat as a member; and therefore as Claudius Pegues, Esq; could not decline his seat in the present Congress, the election of William-Henry Mills, Esq; as a member of Congress, in the room of Claudius Pegues, Esq; was null and void.

Ordered, That for the more expeditious publication of the proceedings of Congress, Col. Laurens, Mr. Bee, and Mr. Thomas Heyward, jun. be a Committee to extract from the journals, and send to the press from day to day, such parts thereof as are proper to be made public; and to cause a sufficient number of copies to be printed for the use of the members.

Col. Laurens, President of the Council of Safety, reported, That a packet of very interesting intelligence, had this morning been received by that Board, by express from Philadelphia, which they were ready to lay before the Congress, if it should be their pleasure.

Ordered,

Ordered, That the contents of the said packet be immediately laid before the Congress and read.

The following were accordingly read, viz.

Letter from the Delegates of this colony in the Continental Congress, dated Philadelphia, January 2, 1776—incloding the following copies of intercepted letters, certified by Charles Thompson, Secretary to the said Congress :

From Lord William Campbell, Governor of this colony, to General Gage, in Boston, dated Rebellion-Road, September 20, 1775.

From John Moultrie, Esq; Lieutenant-Governor of East-Florida, to Col. James Grant, in Boston, dated St. Augustine, October 4, 1775.

From Frederick-George Mulcaster, Esq; Engineer at St. Augustine, to Col. Grant, containing a draught of this harbour, and plan of this town, with references and remarks, dated St. Augustine, October, 3, 1775.

Two from John Stuart, Esq; the King's Superintendant of Indian affairs in the Southern district of North-America, both addressed to General Gage, and dated St. Augustine, October 3, 1775—one of them incloding copy of a talk from the Cherokee Indians, to Alexander Cameron, Esq; one of Mr. Stuart's Deputies, delivered at Choté, August 8, 1775.

From Major Jonathan Furlong, to General Gage, dated St Augustine, October 5, 1775.

Extract from Patrick Tonyn, Esq; Governor of East-Florida, to General Gage, dated St. Augustine, Sept. 14, 1775.

Extract from Frederick-George Mulcaster, Esq; to Col. Grant, dated St. Augustine, Sept. 29, 1775.

The originals having been taken, by Captain Manley, of the Continental armed schooner Lee, within a few hours sail of Boston, in a sloop that
was,

was, at the same time, conveying Moses Kirkland to General Gage, after having first carried him to Lord Dunmore, in Virginia.

Resolved, That it is expedient and necessary, that the lady and daughter of John Stuart, Esq; be restrained from absenting themselves from his house in Charles-Town.

Ordered, That proper guards be immediately placed, and continued, about the house of the said John Stuart, to prevent such absenting; and that Col. Moultrie do place guards accordingly.

Ordered, That Capt. William Cattell, and Capt. Benjamin Huger, two members of this Congress, do wait on Mrs. Stuart, previous to the placing guards as aforesaid, and acquaint her of the order.

Resolved, That no property whatever of the Hon. John Stuart, the King's Superintendant of Indian affairs for the Southern district of North America, or of his brother Henry Stuart, lying or being in any parish or district within this colony, be removed from thence upon any pretence.

Ordered, That the Committees in such parishes or districts respectively, where such property may be, do take the most effectual measures to prevent any removal thereof.

Ordered, That Col. Powell, and Col. Richardson, be desired to make inquiry what men from their respective regiments of militia, and from such other country militia as are now in town, are willing to engage to remain here on pay, for a given time.

Ordered, That the Secretary do now proceed in reading the journals of the Continental Congress.

And the said journals were read accordingly to the 19th of July, 1775, inclusive.

Adjourned to Monday nine o'clock.

Mon-

MONDAY, FEBRUARY 5, 1776.

The Congress met.

And the journal of Saturday was read.

Capt. Benjamin Huger reported, that he, with Capt. Cattell, had on Saturday, agreeable to order, waited on Mrs. Stuart, and her daughter Mrs. Fenwicke, and acquainted them with the order of Congress respecting their persons. That Mr. Fenwicke requested, it might be represented to the Congress, that as his wife was in an ill state of health, and required air and exercise, he might have permission to remove her into the country: and that he would be answerable for her appearance at any time, agreeable to the order of Congress or Council of Safety: And that Mrs. Stuart also requested of the Congress, permission to accompany her daughter to John's Island.

Resolved, That Mr. Fenwicke have leave to take his wife into the country; he being answerable, that she shall not depart the colony, and for her appearance at any time, agreeable to the order of Congress or Council of Safety.

Ordered, That no person whatever be suffered to visit Mrs. Stuart, without leave from Col. Moultrie, or the commanding officer for the time being, signified by an introduction by an officer appointed by him for that purpose: And that if Mrs. Stuart shall at any time have occasion to go abroad, with the permission of Col. Moultrie, or the commanding officer for the time being, she shall do so, attended by an officer to be appointed for that purpose.

Ordered, That the Secretary do proceed in reading the journals of the Continental Congress.

And the said journals were read accordingly, to the 18th day of October last, inclusive.

Col. Powell, and Col. Richardson, reported,
That

That having made some inquiry, they were of opinion, that one hundred and fifty men from each of their regiments, may be induced to remain in Charles-Town for the term of one month ensuing, provided proper care be taken of their horses.

Ordered, That a return be made, as soon as may be, of all the country militia now in Charles-Town.

The following letter was written to the Committes of the parishes of St. Bartholomew and St. Helena, and of Charles-Town respectively :

By Authority of Congress.

To the Committee for the parish of

GENTLEMEN,

I Have the honour to transmit to you a resolution of Congress, respecting the estates and property of John Stuart and Henry Stuart ; which without doubt you will cause to be duly observed : And that you may be at no loss, in what manner to proceed, I do also signify to you, that it is the sense of the Congress, that, if you shall be of opinion you cannot prevent the removal of any part of the property to be restrained, but by taking such part into your custody, you ought, on the part of the public, to take such part into your custody, and to acquaint the Congress or Council of Safety thereof.

I have the honor to be, Gentlemen,

Your most humble Servant,

WILLIAM-HENRY DRAYTON, *President.*

Charles-Town, Feb. 5, 1776.

Adjourned to nine o'clock to-morrow.

TUESDAY, FEBRUARY 6, 1776.

The Congress met,

And the journal of yesterday was read.

Resolved, That the Council of Safety do forthwith cause the Marsh and Hog-Island creek channels, in

B

Charles.

Charles-Town harbour, to be so effectually stopped, as to prevent the passage of ships of war through either. And that they do also cause such land-marks as they shall think proper, to be so removed or disguised, as to render the passage over the bar as difficult as possible.

Resolved, That three thousand bills, each of the denomination of fifty pounds, be stamped and signed, in lieu of thirty thousand bills, each of the denomination of five pounds, heretofore resolved to have been stamped and signed.

Ordered, That the commissioners formerly appointed, do cause the said three thousand bills, each of the denomination of fifty pounds, to be stamped, signed, and lodged in the Colony Treasury, with all possible dispatch.

The letter from Major Williamson, of the 29th past, read in Congress on the 3d inst. the consideration whereof had been postponed, was now again read.

And the following resolution and orders were passed in consequence thereof:

Resolved, That Patrick Cunningham, Hugh Brown, and Thomas Edghill, now in custody of Major Williamson, be forthwith sent to Charles-Town, to be committed to the common gaol. That John York, Major Joseph Robinson, Capt. Hendricks, Henry O'Neal, and Euan M'Laurin, be also sent to Charles-Town, as soon as they can be taken and secured: and that Andrew Cunningham, John Evans, and William Evans, also in the custody of Major Williamson, may be discharged.

Ordered, That Col. Thomas do take proper measures for apprehending and securing John York abovementioned.

Ordered, That a letter be written to Major Williamson,

liamson, transmitting to him the resolutions of Congress, respecting the prisoners at Fort Charlotte; and ordering, that he do suspend the disarming the insurgents, until the Congress shall make further order thereon.

Ordered, That Mr. Arthur Middleton, Major Pinckney, Col. Richardson, Major Mayson, Mr. Salvador, Mr. Rapley, Colonel Gervais, Colonel Thomas, and Mr. Woods, be, and they are hereby appointed, a Committee, to enquire into the state of the interior parts of the colony lately in commotion; to consider what measures are proper to be pursued, to preserve the peace and secure the safety, and to prevent future commotions therein; and also to consider of the cases of the state prisoners, and to report what measures might be pursued with respect to them.

Resolved, That Col. Powell, and Col. Richardson, do retain such of the men of their respective regiments now in town, and who may hereafter arrive, as are or shall be willing to remain on duty here for one month respectively. That they do discharge the remainder of their detachments. And that the horses of such as shall so stay be sent home, and brought back, at the charge of the public.

Resolved, That a sum not exceeding twenty thousand pounds currency, be forthwith placed in the hands of Col. Richard Richardson, to be by him applied, to discharge the pay due to such of the men under his command, who were with him on the late expedition, as stand most immediately in need thereof.

And a warrant was issued accordingly.

Ordered, That all the absent members be summoned to attend their duty in Congress.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, FEBRUARY 7, 1776.

The Congress met,

And the journal of yesterday was read.

Capt. Robert Patton, who had in August last been elected a member of Congress, for the district eastward of Wateree river, and in whose absence Mr. George Douglas was chosen to serve during the last session as a provisional representative, as stated in the proceedings of the 3d of November last, now attending, to take his seat.

Ordered, That Capt. Robert Patton do take his seat, in the room of Mr. Douglas.

Resolved, That the expences of the horses belonging to the foot militia, now in Charles-Town, since their arrival, be defrayed by the public.

Resolved, That in lieu of making provision in future for the horses of detachments ordered to march, on the public service, provision shall be made for waggons and carts, for the conveyance of the necessary baggage of such detachments, while in actual service.

A motion was made, that no member of this Congress shall, in future, be allowed to speak more than twice upon one question.

After some debate,

The question being put,

The Congress divided,

The yeas went forth,

Yeas 53

Nays 49

Teller for the yeas, Col. Pinckney.

Teller for the nays, Capt. William Cattell.

So that it was resolved in the affirmative.

Resolved, That every member of Congress, who shall hereafter fail to give his attendance at the hour of adjournment, shall be subject to a fine of twenty shillings currency,

Resolved,

Resolved, That Mr. Peter Bounetheau be, and he is hereby, appointed cashier to this Congress.

Ordered, That the Secretary do proceed in reading the journals of the Continental Congress.

And the same were read accordingly to the end of the manuscript,

Resolved, That the absence of the members of Congress, who are officers of the militia in Granville County, and actually upon duty, be excused.

Mr. President reported the following letter, which he had written by order :

By Authority of Congress.

To Major ANDREW WILLIAMSON,

Charles-Town, February 6, 1776.

S I R,

I TRANSMIT to you the determinations of Congress this day, relative to the prisoners at Fort Charlotte, which I make no doubt you will, without delay, endeavour to execute.

The Congress mean to take the most effectual measures to settle the state of the interior country, and to prevent, if it be possible, any future commotions there : For this purpose, a Committee is appointed, to form a plan of proper measures : And, in the mean time, you are ordered to suspend the disarming the insurgents, until further order shall be made therein.

I have the honor to be, Sir,

Your most humble Servant,

WILLIAM HENRY DRAYTON, *President.*

Resolved, That the members of the present Council of Safety, be a Committee to take into consideration the number of forces necessary to be raised, and kept in pay, for the service of this colony—and the
reso-

resolution of the Continental Congress of the 4th day of November last, relative thereto.

Adjourned to nine o'clock to-morrow.

THURSDAY, FEBRUARY 8, 1776.

The Congress met,

And the journal of yesterday was read.

Resolved, That Mr. President do signify the approbation of this Congress, and present their thanks, to the Hon. Henry Middleton, and John Rutledge, Esqrs. now present in Congress, and to the other Delegates of this colony at Philadelphia, for their important services in the American Congress.

Mr. President accordingly addressed himself to the Hon. Mr. Middleton, and Mr. Rutledge, in nearly the words following :

GENTLEMEN,

When the band of tyranny, armed in hostile manner, was extended from Great Britain to spoil America of whatever she held most valuable; it was, for the most important purposes, that the good people of this colony delegated you, to represent them in the Continental Congress at Philadelphia.—It became your business to ascertain the rights of America—to point out her violated franchises—to make humble representation to the King for redress—and—he being deaf to the cries of his American subjects—to appeal to the King of Kings, for the recovery of the rights of an infant people, by the Majesty of Heaven formed for future empire.

In this most important business, you engaged, as became good citizens; and, step by step, you deliberately advanced through it, with a regret and sorrow, and with a resolution and conduct, that bear all the characters of ancient magnanimity. Your constituents, with a steady eye, beheld your progress.—They saw the American claim of rights—the association for the recovery of
American

American franchises—and the humble petition to the King, for redress of grievances.—They saw the American appeal to the King of Kings; and, a second humble petition to the British Monarch—alas!—as unavailing as the first.—They have also seen the establishment of an American naval force—a treasury—a general post-office—and the laying on a continental embargo:—In short, they have seen permission granted, to colonies, to erect forms of government, independent of, and in opposition to, the regal authority.

Your country saw all these proceedings, the work of a body of which you were and are members—proceedings arising from dire necessity, and not from choice—proceedings that are the natural consequences of the present inauspicious reign—proceedings just in themselves—and which, notwithstanding the late declarations of the corrupt houses of parliament—the proclamation at the court of St. James's, on the 23d of August—and the subsequent royal speech in parliament, are exactly as far distant from treason and rebellion, as stands the glorious revolution which deprived a tyrant of his kingdoms—and elevated the house of Brunswick to royalty.

Worthy Delegates! It is the judgment of your country, that your conduct, of which I have just marked the grand lines, in the American Congress, is justifiable before God and man, and that, whatever may be the issue of this unlooked-for defensive civil war, in which, unfortunately, though gloriously, we are engaged—whether independence or slavery—all the blood, and all the guilt, must be imputed to British, not to American counsels. Hence your constituents, sensible of the propriety of your conduct, and of the benefits, which, with the blessing of the Almighty, it is calculated to shed upon America, have constituted me, their instrument, as well to signify to you their approbation, as to present

to you their thanks: and it is in the discharge of these duties, that I now have the honour to address you.

In an important crisis like the present, to receive the public thanks of a free people, is to receive the most honourable recompence for past services—and to deserve such thanks, is to be truly great. I know that it is with pain, such men bear their commendations.—Gentlemen, with the public recompence, I mean to pay in to you, my mite also; and lest I wound your delicacy, when I mean only to do justice to your merit, I forbear to particularize what is already well known: I therefore confine myself; and I do most respectfully, in the name of the Congress, present to you, and to each of you, the thanks of your country, for your important services, in the American Congress, at Philadelphia.

Col. John Lisle, elected one of the representatives for the district between Broad and Saludy Rivers, not having taken his seat during the late session, now attended, and declined serving.

A return was made of the following gentlemen as duly elected members of the present Congress, in the upper part of the district between Broad and Saludy Rivers, viz. Capt. John Caldwell, James Williams, John Williams, Jonathan Downs, John Rogers, John Lindsey, and John Caldwell, of Enoree, Esqrs.

And Messrs. John Williams and James Williams attending to take their seats.

Ordered, That they do take their seats in Congress accordingly.

Resolved, That the Rev. Mr. Tennent, Mr. Prince, Col. Thomas, Col. Wofford, Mr. John Williams, Mr. James Williams, and Mr. Jonas Beard, be, and they are hereby, appointed a Committee, to consider and report a proper division of the extensive district between Broad and Saludy Rivers,

Rivers, into three, and the number of members each division ought to have in Congress, to constitute a full representation.

Resolved, That the Committee appointed to inquire into the state of the interior parts of the colony, be authorized and impowered to send for persons, papers and records; and that such members of Congress who chuse so to do, may attend and give their opinions.

Mr. Edwards, from the Committee to whom the petition of the congregation of Particular Baptists in Charles-Town, had been referred, delivered in a report.

And the said report being taken into immediate consideration.

Ordered, That James Brisbane be sent for to Charles-Town, to do justice to the petitioners.

Resolved, That the present members of the Council of Safety, together with Mr. President of the Congress, Col. Powell and Major Pinckney, be, and they are hereby, appointed a Committee, to take into consideration the following resolution of the Continental Congress, of the 4th of November last, viz.

“ *Resolved*, That if the Convention of South-Carolina shall find it necessary to establish a form of government in that colony, it be recommended to said Convention, to call a full and free representation of the people; and that the said Representatives, if they think it necessary, establish such form of government, as, in their judgment, will best produce the happiness of the people, and most effectually secure peace and good order in the colony, during the continuance of the present dispute between Great-Britain and the colonies.”

Resolved, That this Congress will make provision for defraying the necessary expences of waggon hire,

incurred on the late expedition under Col. Richardson.
Adjourned to eleven o'clock to morrow.

FRIDAY, FEBRUARY. 9, 1776.

The Congress met,

And the journal of yesterday was read.

Col. Christopher Gadsden, one of the Delegates from this colony to the Continental Congress, having arrived last night, and being present in his place, as a member of this Congress, for Charles-Town.

Resolved, That the approbation of this Congress be signified to Col. Gadsden, for his conduct, and their thanks returned to him, for the important services he has rendered to his country, in the American Congress.

Mr. President signified the approbation, and returned the thanks, of this Congress, to Col. Gadsden; accordingly.

Resolved, That Col. Gadsden be added to the Committee appointed on the 7th Inst. to take into consideration the number of forces necessary to be raised and kept in pay for the service of this colony, and the resolution of the Continental Congress relative thereto of the 4th of November last; and also, to the Committee appointed yesterday, to consider the resolve and recommendation of the said Congress, respecting a form of government.

The Rev. Mr. Tennent, from the Committee to consider of a proper division of the district between Broad and Saludy rivers, &c. delivered in their report.

And the said report being taken into immediate consideration, the Congress came to the following resolution thereupon:

Resolved, That the district heretofore described between Broad and Saludy rivers, be now divided into three, as well for the convenience of electors of members

bers of Congress, as on account of the happy influence which it may have upon the peace and union of the inhabitants. That the *Lower District*, commonly called the Dutch Fork, shall have the following boundaries, viz. from the Fork where Broad and Saludy Rivers meet, up Broad River to where Tyger River falls into Broad River; thence up said Tyger River, to the ford crossed by the old Saludy road; thence along the said road to where it crosses Saludy, at the place usually called Saludy Old Town; thence down to the confluence of Saludy and Broad Rivers: And that the election of Members of Congress for the said District, be held at the Meeting-house nearest to the house of Adam Somers. That the *Little River District* be bounded as follows: By Saludy River, from Saludy Old Town, to where the said river crosses the Indian Line; by the said Indian Line, to where it is crossed by Enoree River; thence down Enoree, to the road above described, which bounds the lower district: The election to be held at Hammond's Old Store. That the *Upper, or Spartan District*, be bounded by Tyger River, from its confluence with Broad River, up to where the said Tyger River is crossed by the old Saludy Road; thence by the said road to where it crosses Enoree; thence by the said Enoree River, to the Indian Line; thence by the Indian Line to the Colony Line; thence by the Colony Line to where it intersects Broad-river; thence by Broad-river to its confluence with Tyger: the place of election to be at the Meeting-house, near the house of Joseph Kelsey. And that the said districts, as now divided, be allowed, and do respectively elect four members of Congress, as their representatives.

Ordered, That the above resolution be forthwith printed in hand-bills, and made public.

Col. Gadsden presented to the Congress an elegant
C 2 standard.

standard, such as is to be used by the commander in chief of the American navy; being a yellow field, with a lively representation of a rattle-snake in the middle, in the attitude of going to strike, and these words underneath, "*Don't tread on me!*"

Ordered, That the said standard be carefully preserved, and suspended in the Congress room.

Adjourned to nine o'clock to-morrow.

SATURDAY, FEBRUARY 10, 1776.

The Congress met,

And yesterday's journal was read.

Col. Laurens, from the Committee, to whom was referred the resolution of the Continental Congress of the 4th of November last, respecting a form of government, reported.

Resolved, That the said report be now taken under consideration, by a Committee of the whole.

The Congress accordingly resolved itself into a Committee of the whole.

After some time spent therein, Mr. President resumed the Chair,

And the Rev. Mr. Tennent, from the Committee of the whole, reported, That they had gone through the report referred to them, and agreed to the same, without any alteration, to wit,

"That in their opinion, the present mode of conducting public affairs, is inadequate to the well governing the good people of this colony: That many regulations are wanting, for securing peace and good order, during the unhappy disputes between Great-Britain and the colonies: And that the Congress should immediately take under consideration, what regulations are necessary for these good purposes."

Resolved,

Resolved, That the said report be taken into consideration to-morrow.

Resolved, That the Council of Safety be authorised to order payment of constables fees employed in the public service.

Adjourned to nine o'clock to-morrow.

SUNDAY, FEBRUARY 11, 1776.

The Congress met.

And the journal of yesterday was read.

The Rev. Mr. Tennent, having performed Divine Service, received the thanks of the Congress.

The Congress then proceeded upon the order of the day.

And the report of the Committee of the whole, being gone through, the same was unanimously agreed to.

Resolved, That a Committee of eleven members, be chosen by ballot, to prepare and report, to this Congress, such a plan or form of government, as will best produce the happiness of the people, and most effectually secure peace and good order in the colony, during the continuance of the present dispute between Great-Britain and the colonies.

Resolved, That the ballots of the members, for the said Committee, be received at five o'clock this afternoon.

Adjourned to five o'clock in the afternoon.

SUNDAY, FEBRUARY 11, 1776, P. M.

The Congress met.

The Congress then proceeded to ballot, for the members of the Committee, to prepare a plan or form of government.

And the following gentlemen were, by Mr. President,

President, declared duly elected, by a majority of votes, &c.

Major Charles Cotesworth Pinckney,

John Rutledge, Esq;

Col. Charles Pinckney,

Col. Henry Laurens,

Col. Christopher Gadsden,

Hon. Rawlins Lowndes,

Arthur Middleton, Esq;

Hon. Henry Middleton,

Thomas Bee, Esq;

Thomas Lynch, jun. Esq;

Thomas Heyward, jun. Esq;

Adjourned to nine o'clock to-morrow.

MONDAY, FEBRUARY 12, 1776.

The Congress met.

And the journal of yesterday was read.

Resolved, That no guns be fired in or about Charles-Town, without permission from the proper officers; and that public notice hereof be immediately given.

Resolved, That whosoever shall presume to violate the above Resolution, shall be subject and liable to a fine of five pounds current money, for every gun so fired; to be recovered before any three members of the Charles-Town Committee, two of whom shall be a quorum.

Ordered, That the Secretary do cause the above resolutions to be forthwith printed, and made public, in hand bills, and by beat of drum.

Ordered, That the Rev. Mr. Tennent, Col. Fuller, Capt. Shubrick, Capt. Lynch, and Capt. Harrington, be a Committee, to consider and report the best method for promoting the manufactory of saltpetre in this colony.

Ordered,

Ordered, That Richard Rapley, Esq; be a commissioner, for stamping and signing the money issued by resolution of Congress, of the 14th of June last, in the room of Theodore Gaillard, jun. Esq.

Ordered, That Capt. Roger Smith, Mr. Edwards, Capt. Gillon, Mr. Kershaw, Mr. Hall, Capt. Harrington, Mr. Corbett, Col. Gervais, and Mr. Dupont, be a Committee, to enquire and report the quantity of flour now in the colony; how much will be requisite for the subsistence of the inhabitants and troops; and to consider and report proper ways and means for supplying the colony with salt, sugar, rum, and other necessaries of life, at reasonable rates; and also the causes of, and remedies for, the present impositions upon the public, in the high advance in price upon the necessaries of life, and all kinds of commodities and labour.

Read a continuation of the proceedings of the Continental Congress, presented by Col. Gadsden, to the time of his leaving Philadelphia.

Ordered, That Col. Gadsden, Capt. Shubrick, and Capt. Gillon, be a Committee to examine a ship now on the stocks, at Capt. Cochran's; and to report whether it is a proper vessel to be purchased and armed in the colony service.

Resolved, That every member of Congress be intitled, during the present session, for his actual attendance therein, on the service of the colony, to the allowance of forty shillings currency per diem; upon application to the Treasurers during the sitting thereof, or within three days after.

Resolved, That every member of Congress, who shall, during the present Session, absent himself from the service thereof, without leave first had and obtained, shall be sent for at his own expence.

Adjourned to eleven o'clock to-morrow.

TUESDAY

TUESDAY, FEBRUARY 13, 1776.

The Congress met,

And the journal of yesterday was read.

A petition of Henry Aitkin, master of the ship Port-Henderson, and Nathaniel Ruffel, of Charles-Town, merchant, was presented and read.

Ordered, That the said petition be taken into consideration to-morrow.

Resolved, That Mr. President do issue his warrant, for immediately committing to Charles-Town gaol, the body of William Guest, charged with practices inimical to, and destructive of, the peace of this colony.

And a warrant was issued accordingly.

Ordered, That Mr. De Sauffure, Col. Gervais, and Mr. Salvador, be a Committee to extract such parts, as they shall judge proper to be made generally known, from the intercepted letters lately taken from Moses Kirkland, and laid before this Congress on the 3d inst. and also from a letter formerly written by John Stuart, Esq; to the Committee of Intelligence, dated

1775. And that the Secretary do cause copies of such extracts, certified by him, to be forthwith printed and published.

Resolved, That the Council of Safety be authorised to pay to Capt. Thomas Brandon, all reasonable charges, for having apprehended and brought to Charles-Town, persons taken in criminal practices; and also to order payment of reasonable charges for other similar services.

Adjourned to ten o'clock to-morrow.

WED-

WEDNESDAY, FEBRUARY 14, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress being informed, that Joseph Woods, Esq; one of the members for the New Acquisition, had this morning departed this life,

Ordered, That the members of Congress do attend the funeral of the said Mr. Woods, in form, at five o'clock this afternoon: And that Col. Neel, Col. Gervais, Mr. Brown, and Mr. Weyman, be a committee to conduct the same.

Col. Tacitus Gaillard, elected one of the representatives of the parish of St. Matthew, not having taken his seat the last session, now attended, and declined serving.

Ordered, That four hundred and fifty pounds weight of gun-powder, borrowed from Augusta, by Capt. Le-Roy Hammond, for the public service, be repaid.

A motion was made, That this Congress do order payment of certain expences, amounting to two hundred and thirty-four pounds, incurred by a detachment of militia, under the command of Major Hicks, lately marched to this town, for camp utensils, and other articles.

A debate ensued.

And the question being put,

It was carried in the negative.

Read a letter from the Committee at Beaufort, dated Feb. 11, 1776, relative to the shippers of the cargo on board the brigantine William, Capt. Mercier, detained there.

Ordered, That the said letter, with the papers that were inclosed, be referred to the Council of Safety; and that they do report thereon.

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Mr.

Mr. De Saussure, from the Committee, to whom was referred the petition of John Ellis, reported.

And the said report being taken into consideration,

Resolved, That the money lodged in the colony treasury, for the purchase of a cargo of rice, sold by Philip Tidyman, to John Ellis and Thomas Todd, the 30th of November last, and by them, since sold to Capt. Alexander Gillon, be retained in the said treasury, until the further determination of this Congress.

Ordered, That the determination on the prayer of the petitioner to be permitted to depart the colony, be postponed.

On motion, The following resolution was unanimously agreed to :

Whereas the Continental Congress, on the first day of November last, prohibited exportation from the United Colonies, until the first day of March next: And whereas by reason of the distance of several of those colonies from Philadelphia, the resolution of the said Congress, relative to exportation after that day, may not be known for some time: And it may be injurious to the common cause of America, if exportation should be permitted in any colony, before such resolution shall be known there.

Resolved, That the said prohibition shall continue, and be of force in this colony, until the first day of May next, unless an authentic account of the determination of the Continental Congress, relative to exportation, after the said first day of March, shall be sooner received and published by the Council of Safety.

Ordered, That the foregoing resolution be forthwith printed in hand bills and made public.

Ordered,

Ordered, That Mr. President do transmit a copy of the foregoing resolution to the Conventions of Georgia and North Carolina, recommending, that those colonies do pass one similar thereto; and to our Delegates at Philadelphia, desiring them to give the Council of Safety the earliest intelligence of the proceedings of the Continental Congress on this subject.

Ordered, That Mr. President's Letter to Georgia be forwarded by a Committee of two gentlemen, to be delegated to make all possible representation to induce that colony to come into a similar resolution.

Resolved, That orders be forthwith issued to the Committees of parishes and districts where vacancies have happened, by the death of members, or persons elected refusing to serve, to order elections for filling up such vacancies.

Orders accordingly were issued in the forms following to the Committees of the parishes of St. Philip and St. Michael, Charles-Town; St. George, Dorchester; and St. Matthew, for the district of Ninety-Six, for the district in the Fork between Broad and Saludy Rivers, and for the district called the New Acquisition, respectively, for filling up a vacancy in each, in the room of Miles Brewton and William Sanders, Esqrs. deceased, Tacitus Gaillard, John Lisle and Champness Terry, Esqrs. who had declined serving, and Joseph Woods, Esq; deceased.

In Congress, Feb. 14, 1776.

Ordered, That the Committee for the parish of do forthwith give due and sufficient public notice to the inhabitants of the said parish, who have a right to vote, to assemble at the parish church,

church, on a day to be by them appointed, then and there to proceed, by ballot, to the choice of a member to represent them in the present Congress, in the room of _____ and that the said Committee do make a due return of the said election as soon as may be.

Ordered, That the Committee for the parish of St. John, in Berkley County, do forthwith make a return of the member of Congress, said to have been elected for that parish, in the room of James Ravenell, Esq; who had declined serving, and that they do notify to said member to give his attendance.

Adjourned to nine o'clock to-morrow.

THURSDAY, FEBRUARY 15, 1776.

The Congress met,

And the journal of yesterday was read.

A petition of Joseph Buffington was presented and read.

Ordered, That the said petition be referred to the following Committee, viz. Col. Powell, Col. Thomas, Col. Richardson, Major Henderson, the Rev. Mr. Tennent, Mr. Kershaw, Doctor Farrar, and Mr. Prince.

Capt. Shubrick, from the Committee to examine a ship now on the stocks at Capt. Cochran's; reported, That having examined the said ship according to order, they found her every way unfit to be equipped, as a ship of war, in the colony service.

Resolved, That a Committee be appointed to consider and report the best means, and an estimate of the expence, of building, with the utmost dispatch, two frigates, for the service of this colony, each to mount thirty-two guns on one deck: and also to

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consider and report the expediency of stationing armed vessels to protect the navigation of Beaufort and George-Town harbours.

Ordered, That Capt. Shubrick, Capt. Gillon, Col. Powell, Mr. Edwards, Doctor Farrar, Major Mayson, and Capt. Joiner, be a Committee for the above purposes.

Read a petition of John Sigell, steward to Lord William Campbell, of this date.

Ordered, That the said petition be referred to the following Committee, viz. Mr. Jacob Motte, Capt. Benjamin Huger, Capt. Hammond, Mr. Elias Horry, and Mr. John Parker: And that the said Committee do also consider and report, what may be proper to be done with the effects of Lord William Campbell, and a trunk of books belonging to James Trail; both having withdrawn themselves from this colony on board the Cherokee ship of war—the latter, after having been enjoined, by the General Committee, not to go out of the limits of Charles-Town.

Resolved, That the Hon. Rawlins Lowndes, Esq; Col. James Parsons, and Capt. Thomas Savage, be delegated to proceed forthwith to Savannah, to make proper representations to induce that colony to co-operate with this, in paying the strictest obedience to all the resolves of the Continental Congress, particularly that relative to non-exportation; and to urge the necessity of extending the non-exportation to the first day of May next.

Mr. John Rutledge, acquainted the Congress, that it was with the utmost concern he found himself obliged to request, that they would dispense with his attendance in the Continental Congress in future; that he had many weighty reasons which rendered his

his request proper; but above all, that as the American dispute was now agitated by arms, he was certain he could be of more service to his country, and the common cause, at home than abroad; and that therefore he earnestly desired they would grant his request. He also acquainted the Congress, that his brother (Edward Rutledge, Esq;) from very urgent motives, requested to be recalled.

Resolved, That this Congress will to-morrow proceed to the choice of Delegates, to represent this colony in the Continental Congress, by ballot.

Adjourned to ten o'clock to-morrow.

FRIDAY, FEBRUARY 16, 1776.

The Congress met,

And the journal of yesterday was read.

The Hon. Henry Middleton arose, declared his sensibility of, and thankfulness for, the honour that had been conferred upon him, in his appointment as a Delegate from this colony to the Continental Congress; and that no man had better wishes, or would go greater lengths, to serve his country, than himself; but that, as the infirmities of age, which were creeping on, deprived him of the ability of rendering so much service to the public, as in his earlier days, he might have done; so he requested that the Congress would not again appoint him as a Delegate to the Continental Congress, in the choice now to be made.

Mr. John Rutledge, from the Committee to take into consideration the number of forces necessary to be raised and kept in pay, for the service of this colony, and the resolution of the Continental Congress, on the 1st day of November last, relative thereto, delivered in a report.

Ordered,

Ordered, That the said report be taken into consideration to-morrow.

On motion, That the number of Delegates, from this colony, to the Continental Congress, be now ascertained.

Resolved, That five Delegates be chosen, to represent this colony in the Continental Congress.

Resolved, That the said five Delegates be chosen to serve for one year.

A motion was made, That the majority of the Delegates, present in Philadelphia, shall be a Quorum, and that when, by sickness or accident, only one Delegate shall be present in Congress, in such case, such Delegate shall give his voice on the part of the colony.

A debate ensued,

And the question being put, it was

Resolved in the affirmative.

Resolved, That the ballots, for delegates to the Continental Congress, be received at five o'clock this afternoon.

Resolved, That Serjeants of militia in future, while in actual service, be allowed a pay of twelve shillings and six-pence currency per day, and Corporals, in the like case, eleven shillings and three-pence.

Adjourned to five o'clock in the afternoon.

FRIDAY EVENING, FEBRUARY 16, 1776.

The Congress met.

Mr. President laid before the Congress, the following copy of the letter which he had written and sent express, by their order, to the colony of Georgia.

South-

South Carolina, Charles-Town, February 15, 1776.

*By Authority of Congress.
To the Honourable the Congress of Georgia.*

GENTLEMEN,

I Have the honour to inclose to you the copy of a resolution of Congress, extending the resolution of the Continental Congress on the first of November last, prohibiting exportation from the United Colonies; and I have it in charge to recommended to you, in the strongest terms, that your colony should form a similar resolution.

It is thought so absolutely necessary for the welfare of America, that Georgia, form a similar resolution; and we have this point so much at heart, that the Congress have delegated the Hon. Rawlins Lowndes, Colonel Parsons, and Thomas Savage, Esq, to repair forthwith to Savannah, to make all possible representation to induce your co-operating with us in so salutary a step.

These gentlemen mean to set out to-morrow or next day, and their speedy departure renders it unnecessary for me to add any thing more, to give weight to the recommendation in question.

I have the honor to be, Gentlemen,

Your most humble Servant,

WILLIAM HENRY DRAYTON, *President.*

The Congress then proceeded to ballot for the Delegates to the Continental Congress.

And the ballots being reckoned, it appeared, and Mr. President declared, that Thomas Lynch, John Rutledge, Edward Rutledge, Arthur Middleton, and Thomas Heyward, junior, Esqrs. were, by majority of votes, duly elected.

Whereupon the Congress

Resolved,

Resolved, That Thomas Lynch, John Rutledge, Edward Rutledge, Arthur Middleton, and Thomas Heyward, junior, Esquires, be, and they are hereby appointed, and fully authorized, to represent this colony in the Continental Congress, for one year next ensuing.

Adjourned to nine o'clock to-morrow.

SATURDAY, FEBRUARY 17, 1776.

The Congress met,

And yesterday's journal was read.

Mr. Corbett, from the Committee to whom was referred the petition of Capt. Aitken and Mr. Russel, delivered in a report.

Ordered, That the consideration thereof be postponed.

A motion was made, that Benjamin B. Boote, Esq; being a person whose going at large may endanger the public safety, be committed to close confinement.

Resolved, That Benjamin B. Boote, Esq; be forthwith committed to close confinement in the common gaol of Charles-Town.

Ordered, That Mr. President do issue his warrant for that purpose.

Ordered, That Mr. President do forthwith by letter, acquaint the Council of Safety at Salisbury, with the present situation of Messrs. Dunn and Boote, and desire their further directions.

Mr. President, of the Council of Safety, laid before the Congress, letters received by that board, From the Provincial Congress of Georgia, dated Savannah, 12th instant, relative to the hostile armament assembled there.

From Capt. John Allston, of the Volunteer Company of Foot Rangers, dated 15th instant, relative to the ori-

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ginal

ginal establishment of the said company,—and referred to Congress. And,
 From Doctor Chalmers, relative to the ill state of health of Mrs. Stuart, and the necessity of her taking air and exercise—also referred to Congress.
 Which were severally read.

Ordered, That the consideration of Capt. Allston's letter be postponed.

Resolved, That Mrs. Stuart be allowed to take necessary air and exercise, upon the terms proposed in Doctor Chalmers's letter, that is, accompanied by Mr. Fenwicke or the Doctor, and they being responsible for her appearance whenever called for.

Notice was given to the Congress, that the contract for supplying the colony forces with provisions, would expire on the 29th instant.

The Congress then proceeded upon the order of the day.

After some time spent in debate,

A motion was made, that the further consideration of the report, on the number of forces necessary to be raised, and kept in pay, for the service of this colony, be postponed.

A debate ensued,

And the question being put,

Resolved in the affirmative.

A motion was then made, that this Congress do now resolve, that three battalions of Infantry be forthwith raised, upon the Continental establishment, agreeable to the powers vested, by the Continental Congress, in this colony.

After some debate,

The question was put,

And passed in the negative,

Adjourned to nine o'clock to-morrow.

Sun.

SUNDAY, FEBRUARY 18, 1776.

The Congress met,

The Rev. Mr. Turquand, by desire, performed Divine Service.

And the thanks of the Congress were returned to that gentleman.

The journal of yesterday was read.

Resolved, That Benjamin Booth Boote, Esq; be supplied with all proper necessaries and accommodation in his present confinement, and that he be allowed the liberty of the garden belonging to the gaol, in the day time only.

Resolved, That Michael Kalteisen, Esq; be appointed to the office of commissary of military stores for the regular forces.

Ordered, That Col. Powell, Col. Pinckney, Col. Richardson, Col. Bull, Col. Thomas, Col. Wofford, Col. Neel, Col. Horry, Major Mayson, Major Kershaw, Capt. Hammond, Capt. Harrington, Capt. Maham, Capt. Vanderhorst, and Capt. William Skirving, be a Committee, to consider and report the number of country militia that ought to supply the place of the detachments to be discharged on the first day of March next, and in rotation, to do constant duty, in and near Charles-Town: also the most effectual means to oblige such of the inhabitants of Charles-Town, as are liable to bear arms, and are absent, to return to town; also the best division of the country militia, into battalions, where such division is necessary; and also, such measures as may, in their opinion, be necessary to render the militia most serviceable to the public.

Ordered, That Mr. Edwards, Capt. Roger Smith, Mr. Corbett, Mr. Dupont, Mr. Robert William Powell, Mr. Hall, Capt. Leger, Mr. Theodore Gaillard, jun. and Mr. Elias Horry, be a Committee,

to receive and examine such public accounts, as may be referred to them, by the Congress or Council of Safety; and to report their opinion thereon, to the Congress or Council of Safety, as soon as possible.

A motion was made, that the Council of Safety, in order that they may be enabled to devote the more of their time to the immediate objects of their appointment, do set apart a particular day in each week, for the particular purpose of determining on public accounts.

After some debate,

The previous question was moved for,

And being put,

It was resolved in the affirmative.

But the main question being then waved;

Resolved, That the Council of Safety shall only twice in the week be liable to be called upon to pay public accounts.

Adjourned to nine o'clock to-morrow,

MONDAY, FEBRUARY 19, 1776.

The Congress met,

And the journal of yesterday was read.

Mr. President laid before the Congress the copy of a letter which he had yesterday written by their order, relative to the present situation of Messrs. Dunn and Boote, viz.

South-Carolina, Charles-Town, Feb. 18, 1776.

By Authority of Congress.

To the Committee of Safety, for Salisbury. North-Carolina.

GENTLEMEN,

Mr. Dunn and Mr. Boote, who were sent prisoners from your colony to this, have repeatedly made applications to our public assemblies for their discharge. In our last session of Congress they presented a petition

tion and remonstrance to the same effect, which the Congress referred to your judgment, and I inclosed the prayer of the petition in the following letter, addressed to you. The letter was delivered to Mr. Boote, who undertook to forward it.

Gentlemen,

I have the honour to inclose to you an extract of the prayer of a remonstrance and petition, which has been by Mr. Dunn and Mr. Boote presented to the Congress of this colony, in their last session. These gentlemen, in their remonstrance and petition, declared, they did not mean, and never would relinquish, any right of action at law, which they may have against those gentlemen, who were the immediate cause of their being sent prisoners into this colony. The Congress would not make any other order upon the remonstrance and petition, than that it should be referred entirely to your judgment — Jan. 10, 1776.

Mr. Dunn is now a prisoner upon his parole; and Mr. Boote is a prisoner in the common gaol in this town, he being, of the two, thought to be, by much, the most dangerous person.

The Congress have directed me to acquaint you with the situation of these gentlemen, requesting that you will signify your sentiments to me thereupon.

I have the honor to be,

Gentlemen,

Your most humble Servant,

WILLIAM-HENRY DRAYTON, *President.*

Mr. President, of the Council of Safety, laid before the Congress, an account of M. John Champneys, one of the commissioners for receiving and selling rice, on the public account.

And the said account being immediately taken
under

(38)
under consideration, the Congress disallowed the following charges therein:

For his commission on the purchase of rice, } £. 183 2 6

Commission on selling, } 399 1 11

Ordered, That the Committee on public accounts, do ascertain the quantity of rice sold out by retail, by said Mr. Champneys, and report the commission proper to be allowed thereon. And that the charge of five hundred pounds in said account, for damages sustained, be referred to the Committee on Mr. Thomas Singleton's petition.

Resolved, That the Committees in the several parishes and districts, throughout the colony, ought, and they are hereby required, strictly to execute the resolution of the Congress in January, 1775, to prevent the removal of the effects of any debtors out of the Colony, without the knowledge or consent of their creditors.

Resolved, That at least one thousand men from the country militia, are necessary for the immediate defence of Charles-Town.

Capt. John Allston's letter, of the 15th inst. being taken into consideration.

Resolved, That the resolution of Congress, of the 27th of November last, relative to Capt. Allston's Indian company of Foot Rangers or Rovers, be made void; and that the said company be restored to their original establishment.

Whereas one thousand and fifty men of the country militia, exclusive of commission and non-commissioned officers, are necessary to do duty in and near Charles-Town, in addition to the regulars and town militia, from the first day of March to the first day of April next. Therefore,

Resolved, That the following draughts be forthwith

with made, and marched to Charles-Town, to relieve the militia to be discharged on the first day of March, viz. from the regiments

	Cpts.	Subalts.	rank & file.
Of Col. Powell	2	4	125
Col. Richardson	3	6	180
Col. Bull	1	3	75
Late Col. Fletchall	1	3	100
Col. Starke	1	2	65
Col. Thomas	1	2	50
Col. Savage	1	3	100
Col. Neel	1	2	55
Col. Thompson	2	4	100
Col. Rothmahler	2	4	100
Col. Singellton	1	2	50
Col. Glover	1	2	50
	17	37	1050

And further Resolved, That the said draughts shall remain in and near Charles-Town, one month; at the expiration of which time, they shall be relieved monthly, by the same numbers, to do the same duty from the same regiments. That the first draughts shall be made of such men, if there are any such in their respective regiments, as have not been on duty by order of Congress or Council of Safety: except, in such regiments respectively, volunteers shall offer to do the duty for which the draughts are intended. And that the colonels of the said regiments respectively, shall appoint the Captains and Subalterns to command the said detachments, according to the dates of their commissions.

Resolved, That the Militia on the Sea-Islands, and in Christ-Church parish, be not included in the said draughts.

Ordered, That Mr. President do transmit copies of

of the foregoing resolves to the commanding officers of the several regiments from which draughts are to be made, by express, with the utmost expedition:

Ordered, That letters be forthwith written, by different conveyances, to the Continental Congress at Philadelphia, acquainting them with the present situation of affairs in this colony, and the recent alarming intelligence we have received from Georgia, of the hostile armament collecting at Cockspur:

Adjourned to eleven o'clock to-morrow.

TUESDAY, FEBRUARY 20, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress proceeded on the consideration of the report of the Committee, upon the number of forces necessary to be raised, and kept in pay, for the service of the colony; and made some progress therein.

A motion was made, that the regiment of Rangers be reduced, from horse to foot.

A debate ensued,

And the question being put,

The Congress divided:

The Yeas went forth.

Tellers, } For the Yeas, Capt. Benj. Huger,

 } For the Nays, Doctor Farrar.

Yeas

46

Nays

54

So that it was determined in the negative.

A motion was made, that the name of the regiment of Rangers be changed, to that of Light Dragoons.

A debate arose,

And

And the question being put,

It passed in the negative.

A motion was made, that a Colonel be appointed to command the regiment of Rangers.

A debate ensued,

The question was put,

And passed in the negative:

A motion was made, that the rule of Congress, of the 7th instant, restricting the members from speaking more than twice upon one question, be amended, by adding the words, "without leave from the chair."

After some debate,

The previous question was moved for, and put,

And passed in the negative.

A motion was made, that rations be allowed to the regiment of Rangers, in like manner as to the regiments of Infantry.

After some time spent in debate,

The question was put,

The Congress divided,

The Yeas went forth:

Tellers, { For the Yeas, Col. Moultrie,

{ For the Nays, Col. Pinckney,

Yeas 49,

Nays 49,

So that Mr. President was obliged to decide; which he did by voting in favour of the motion.

And it was resolved in the affirmative.

Ordered, That the further consideration of the report be adjourned.

Adjourned to eleven o'clock to-morrow.

WEDNESDAY, FEBRUARY 21, 1776.

The Congress met.

And the journal of yesterday was read.

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Mr.

Mr. Salvador, from the Committee to enquire into the state of the interior parts of the colony, lately in commotion; to consider what measures are proper to be pursued, to prevent future commotions therein; and also to consider of the cases of the state prisoners, and to report what measures ought to be pursued, with respect to them—delivered in a report.

Ordered, That the consideration of the said report be postponed.

The Congress then proceeded in the consideration of the report of the Committee, on the number of forces necessary to be raised and kept in pay, for the service of this colony—and made a further progress therein.

Resolved, That an Adjutant and a Quarter-master, be allowed and appointed to the regiment of Rangers.

A motion was made, That the daily pay of the privates, in the regiment of Artillery, be augmented to ten shillings currency.

A debate arose,

The question was put,

And passed in the negative.

A motion was made, That a daily pay of ten shillings be allowed to *expert* Rifle-men, who shall enter into a regiment of Rifle-men, to be raised for the service of this colony.

A debate ensued,

And the question being put,

It was resolved in the affirmative.

A motion was made, That a bounty of ten pounds currency, be allowed, on inlisting, to *expert* Rifle-men, entering in the regiment of Rifle-men.

After some debate,

The question was put,

And passed in the negative.

A motion was made, That the sum of five pounds currency, be allowed to every private; who shall, at the time of his entering into the regiment of Rifle-men, be provided with a good and sufficient Rifle-gun, as hire for the same, during the time for which he is engaged to serve.

A debate ensued,

And the question being put,

Resolved in the affirmative.

A motion was then made, to allow to such Rifle-men, a bounty of seven pounds and ten shillings, at the time of inlisting.

After some time spent in debate,

The Congress was adjourned to eleven o'clock to-morrow.

THURSDAY, FEBRUARY 22, 1776.

The Congress met,

And the journal of yesterday was read.

The consideration of the report, on the number of forces necessary to be raised, and kept in pay, for the service of this colony, was resumed.

A motion was made, That a bounty of nine pounds and ten shillings currency, be allowed and paid to every *expert* Rifle-man, who shall enlist in the regiment of Rifle-men, to be raised for the service of this colony.

A debate ensued.

And the question being put,

Resolved in the affirmative.

The whole of the said report being gone through, the Congress came to the following resolutions thereupon.

Whereas it is absolutely necessary, that a considerable body of regular forces be kept up for the service and defence of the colony in this time of imminent danger: Therefore,

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Resolved,

Resolved, That the first and second regiments be immediately augmented to their original establishment; and that their bounty money be encreased to twenty-five pounds per man. Also,

That the regiment of Rangers be continued upon their present establishment of nine companies, each to be augmented to fifty privates; the companies to be immediately completed, and the men enlisted according to the rules and articles for the government of the troops: And it is **HEREBY DECLARED**, That the said regiment of Rangers shall be composed of *expert* Rifle-men, who shall act on horseback, or on foot, as the service may require; each man, at his own expence, to be constantly provided with a good horse, rifle, shot-pouch and powder-horn, together with a tomahawk or hatchet. Also,

That the regiment of Artillery be continued upon their present establishment. Also,

That a regiment of *expert* Rifle-men, to take rank as the fifth regiment, under proper field and other officers, be immediately raised, to consist of seven companies; each company to consist of one Captain, two Lieutenants, one Ensign, and one hundred men, including four Serjeants, and four Corporals. And it is hereby declared, That the said regiment shall be enlisted to the 1st of June, 1777, subject to the rules and articles for the government of the troops, and liable to be sooner discharged by public authority, having one month's pay advanced: Each man, in the said regiment, at his own expence, during the service, finding his own cloaths, except a uniform hunting shirt, and hat or cap, and blanker, to be provided by the public; and also, at his own expence, to be constantly provided with a good rifle, shot-pouch, and powder-horn, together with a tomahawk or hatchet: the privates shall be allowed five pounds,

pounds, as the hire of their arms, during their service; nine pounds and ten shillings as bounty, and ten shillings daily pay; the Sergeants, twelve shillings and six-pence, the corporals, eleven shillings and three-pence, and the commissioned officers the same daily pay, as those of the first and second regiments. Also,

That a company of Artillery, of one hundred men, with proper officers, be immediately raised, for the defence of Fort Lyttelton, on Port-Royal Island. And one other company of Artillery, consisting of sixty men, with proper officers, be in like manner raised, for the defence of George-Town. These companies to be officered and paid in like manner, and in proportion to the artillery establishment; and the men to be enlisted for the same term, and in like manner with the regiment of Rifle-men. Also,

That, of the matrosses on the present establishment, the seamen in the colony navy, and the matrosses and seamen expected to arrive here, from the New-England colonies and other parts, in the whole upwards of nine hundred men, two hundred may, if found necessary, be established as marines on board the navy. Also,

That the rations of the regular forces, be increased to one pound and an half of fresh beef, or to eighteen ounces of salt pork: And that the regiment of Rangers, the regiment of Rifle-men, the two independent companies of Artillery, and the Militia upon actual service, be allowed rations in like manner with the first and second regiments of foot, and the regiment of Artillery, and as increased by this establishment. Also,

That an Adjutant be appointed to the regiments of Rangers and Rifle-men respectively; a Pay-master and a Surgeon to the regiment of Rifle-men, and a Sergeant-

Sergeant-Major, a Quarter-master, and a Quarter-Master Serjeant, to each regiment of the regular forces. Also,

That the men to be inlisted in the regiment of Rangers and Rifle-men, be approved of by the commanding officer of each regiment respectively,—*as expert Rifle-men.* And,

That the Captains in the regiment of Rifle-men, who shall first send, bring, or cause to be brought, to the regimental head quarters, sixty men, approved as aforesaid, such captains shall take priority of rank respectively, in the said regiment. And the said Captains respectively, with the approbation of the Colonel of the regiment, shall appoint their Lieutenants, Ensign, and non-commissioned officers. And also,

Resolved, That all the regular forces of this colony, both naval and military, shall, upon any emergency, and when the Congress or Council of Safety shall think proper, be liable, under either of their order and direction, to serve and act in any part of this, or of a neighbouring colony.

And whereas it will not be expedient, to put any of the forces of this colony upon the continental establishment, so as to be subject to continental articles, and intitled only to continental pay, and to their discharge in December next; it being more proper, to keep all the colony troops upon the present footing, as to their quantum of pay, their articles, and the time of inlistment; Therefore,

Ordered, That the Council of Safety do return the thanks of this colony to the Continental Congress, for their attention to its security; that they state the peculiar circumstances, and the heavy expences which have been, and will be incurred, by this colony, in the measures necessary for her defence: And that they do request the Continental Congress to allow
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this colony so much money, as the expences of three battalions, upon the continental establishment, would amount to for one year; and to give continental rank to the officers of the three regiments raised in June, and of the regiment of artillery raised in November, from the dates of their respective commissions, or, at least, from the first day of November, when they resolved to allow this colony three battalions.

Resolved, That all the officers and men in the naval and military forces of this colony, shall take the same oath of fidelity, as is prescribed in the rules and articles for the government of the troops.

Resolved, That this Congress will, by ballot, elect the field officers of the regiment of Rifle-men to be raised, separately.

A motion was made, That the Captains for the said regiment be also elected, by ballot, by the members of Congress.

After some debate,

The question being put,

It was resolved in the affirmative.

Resolved, That the Captains of the two companies of Artillery, to be raised for the defence of Beaufort and George-Town, be also ballotted for to-morrow, by the members of Congress.

Resolved, That this Congress will proceed to ballot for the said officers to-morrow afternoon.

Capt. Leger, from the Committee, on the memorial of Charles-King Chitty, delivered in a report.

Ordered, That the said report be taken into consideration to-morrow.

Col. Powell from the Committee, to consider and report the number of country militia necessary to replace the detachments to be discharged the first day of March next, and in rotation to do constant duty in and near Charles-Town—the means of obliging absentees liable to bear arms, to return—the best division

vision of the country militia—and such measures as will tend to render the militia most serviceable, delivered in a further report.

Ordered, That the consideration thereof be postponed.

Mr. Motte, from the Committee, on the petition of John Sigell, delivered in a report.

Ordered, That the consideration thereof, be likewise postponed.

Col. Powell, from the Committee, on the petition of Joseph Buffington, delivered in their report.

Ordered, That the consideration of that report be also postponed.

Capt. Roger Smith, from the Committee to enquire and report the quantity of flour now in Charles-Town—the quantity that will be wanted—the best means of obtaining salt, sugar, rum, and other necessaries, on reasonable terms—with the causes of, and remedies for, the present impositions in the advanced prices on the necessaries of life, other commodities and labour, delivered in a report.

Ordered, That the consideration of the said report also be postponed.

Adjourned to ten o'clock to-morrow.

FRIDAY, FEBRUARY 23, 1776.

The Congress met,

And the journal of yesterday was read.

Resolved, That a Muster-master General be appointed for the naval and land forces of this colony, with power to appoint one deputy.

Ordered, That Col. Gadsden, Col. Moultrie, Col. Motte, Col. Gervais and Dr. Oliphant, be a Committee to ascertain and report the special duties of the said Muster-master General.

The Congress then proceeded to take under consideration

deration the report on the state of the interior parts of the colony; and made some progress therein.

Adjourned to five o'clock in the evening.

FRIDAY EVENING, FEBRUARY 23, 1776.

The Congress met,

A motion was made, that the election of field officers for the regiment of Rifle men to be raised, be determined by a majority of ballots of the whole number of members present in Congress, and not otherwise.

A debate ensued,

And the question being put,

The Congress divided.

The Yeas went forth.

Tellers { For the Yeas, Capt. Sumpter,
For the Nays, Capt. Benj. Huger.

So that it passed in the negative.

The Congress then proceeded to ballot for a Colonel of the said regiment.

And Isaac Huger, Esq; was declared, by majority of votes, duly elected.

The Lieutenant Colonel was then balloted for,

And Alexander M'Intosh, Esq; declared duly elected, by majority of votes.

The Major was next balloted for,

And Benjamin Huger, Esq; declared, in like manner, duly elected.

A motion was made, That the Captains for the regiment of Rifle-men, be postponed till to-morrow.

A debate arose,

And the question being put,

It was resolved in the affirmative.

The Congress then proceeded to ballot for the Captain to command the company of Artillery, to be raised for the defence of George-Town; and also for the Captain of a like company—for the defence of Fort Lyttleton, Port Royal.

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And

And the majority of votes, for the former, were declared to be in favour of Paul Trapier, jun. Esq; and for the latter, in favour of William Harden, Esq; Adjourned to nine o'clock to-morrow.

SATURDAY, FEBRUARY 24, 1776.

The Congress met,

And yesterday's journal was read.

Resolved, That the privates in the regiment of Rifle-men, to be raised, shall remain, and be continued, in the same companies wherein they were respectively first enlisted.

Resolved, That the Committee on the public accounts do, and they are hereby required, to give all possible aid and assistance to Col. Gadsden, or the commanding officer of the colony forces for the time being, and also to Capt. John Copithorn, in procuring and supplying all such articles for the public service, as the said commanding officer shall from time to time apply for.

Read a petition of Thomas Farr, jun. Esq; Clerk of the late Commons House of Assembly, with his account against the public.

Ordered, That the said petition be referred to a Committee of such members of the present Congress, as were members of the said Commons House on public accounts.

Whereas a constitutional post is now established, under the authority of the Continental Congress: And whereas, it is of the utmost consequence, in the present time of imminent danger, that the post riders do not meet with the least delay in their progress: Therefore,

Resolved, That it be recommended, and it is hereby recommended, to the keepers of all the public ferries in this colony, to give all possible dis-

dispatch to the passage of the constitutional post riders, over their respective ferries.

Resolved, That Mr. Bee, Capt. John Huger, Col. Richardson, Col. Thomas, Capt. Hammond, Major Henderson, Mr. John Owen, Col. Thomson, Capt. Harrington, Mr. De Saussure, Capt. Simons, and Dr. Farrar, be, and they are hereby appointed, Commissioners to contract for the making, or or purchasing already made, any number, not exceeding one thousand stand, of good rifles, with good bridle locks, and proper furniture, not exceeding the price of thirty pounds each: The barrels of the rifles to be made, not to weigh less than seven pounds and an half, or be less than three feet eight inches long, and carrying balls of about half an ounce weight; and those new ones already made, not to be less than three feet four inches long in the barrel. Also for the making, or purchasing already made, one thousand stand of good smooth-bored muskets, carrying an ounce ball, with good bridle locks and furniture, iron ram-rods, and bayonets, at a price not exceeding twenty pounds each: The muskets to be made, to be three feet six inches long in the barrel, and the bayonets seventeen inches long. The power of the Commissioners to continue during six months. And they are required from time to time to cause the rifles and muskets by them purchased, to be delivered to the Council of Safety, who are hereby authorized to pay their draughts for such arms.

The report of the Committee on the petition of Capt. Aitkin and Mr. Russel, was taken under consideration; and the same being gone through:

Ordered, That the ship Port Henderson, be forthwith discharged, agreeable to the prayer of the petitioners.

Resolved, That the Council of Safety be, and they

they are hereby authorized, to contract with Mr. Kershaw, for all the flour and ship bread he can supply, on the public account; the delivery thereof to be at the risk of the public, from capture by the enemy.

Adjourned to five o'clock in the evening.

SATURDAY Afternoon, FEBRUARY 24, 1776.

The Congress met,

A memorial signed by twenty one officers of the country militia, now doing duty in Charles-Town, was presented and read.

Mr. President, by desire of the Congress, requested of the Rev. Mr. Turquand, that he would perform divine service in Congress to-morrow.

Adjourned to half past nine o'clock to-morrow.

SUNDAY, FEBRUARY 25, 1776.

The Congress met.

The Rev. Mr. Turquand performed Divine Service, and received the Thanks of the Congress.

The journal of yesterday was read.

Resolved, That the commissioners for purchasing rifles, or either of them, be, and they are hereby authorized and impowered, to agree with any person to make a rifle of a new and different construction from the kind, they have power to purchase by the resolution of yesterday: And that, if the Council of Safety shall approve of the construction, they may contract for the purchasing and making such kind of rifles.

Ordered, That the memorial delivered in yesterday, do lie on the table.

The Congress then proceeded to ballot for the Captains of the regiment of Rifle-men.

And the ballots being counted, it appeared, that the following gentlemen were, by majority of votes, duly elected:

He-

Hezekiah Maham,	}	Esquires.
Benjamin Tutt,		
George Cogdell,		
William Richardson,		
Richard Richardson, jun.		
William Henderson,		
John Bowie,		

Adjourned to ten o'clock to-morrow.

MONDAY, FEBRUARY 26, 1776.

The Congress met,

And the journal of yesterday was read.

Mr. President declared the names of the gentlemen, that had been, yesterday, by majority of votes, elected Captains for the regiment of Rifle-men.

Ordered, That the members of the Council of Safety, with Col. Gadsen, be a Committee to consider the necessity and expediency of immediately raising another regiment of Rifle-men, for the service of this colony; and that they do report thereon to-morrow.

A petition of Robert Cunningham, proposing to observe a neutrality, was presented and read.

Capt. Maham, Capt. Richard Richardson, and Major Henderson, yesterday elected Captains for the regiment of Rifle-men, respectively declined accepting commissions in that regiment; the two former alledging, among other reasons, that they already commanded volunteer companies, to which their particular attention was due, and with which they should always be ready to go forth and render their best services to the colony; and the latter that being a field officer of a new regiment, composed entirely of volunteers, the public service required his continuance in that station.

Resolved, That this Congress will forthwith proceed to the choice of three other Captains, for the regi-

regiment of Rifle-men, in the room of the gentlemen, who have declined to serve.

The said Captains were accordingly immediately balloted for.

And the following gentlemen, declared duly elected, by majority of votes, viz.

Francis Prince,	}	Esquires.
Thomas Potts,		
David Anderson,		

Adjourned to eleven o'clock to-morrow.

TUESDAY, FEBRUARY 27, 1776.

The Congress met,

And the journal of yesterday was read.

The Church-wardens of the parishes of St. Philip and St. Michael, Charles-Town, returned Alexander Moultrie, Esq; as duly elected, yesterday, to be a member of the present Congress, for Charles-Town, in the room of the late Miles Brewton, Esq.

Ordered, That Mr. Moultrie, who attended, do take his seat accordingly.

Read a letter from Jonathan Downs, Esq; dated the 25th instant, acquainting the Congress, that he was on his way to Charles-Town, with Patrick Cunningham, Hugh Brown, and William Duggins, three of the late insurgents, as prisoners.

Ordered, That Mr. President do issue his warrant for the immediate commitment of the said Patrick Cunningham, Hugh Brown, and William Duggins, to the common gaol in Charles-Town.

And a warrant was issued accordingly.

Resolved, That the Captains of the companies of Artillery, to be raised and posted at Fort Lyttelton, and George-Town, shall have rank in the army, as they shall respectively have made returns to the Parochial Committees, of their having raised sixty men ;

men; the said returns to be transmitted to the Council of Safety.

Resolved, That the Ensigns in the regiment of Rifle-men, be allowed a daily pay of thirty-two shillings and six-pence.

Ordered, That Colonel Gervais, Col. C. C. Pinckney, Major Cattell, Capt. Lynch, and Doctor Oliphant be a Committee, to consider and report, the best ways and means of supplying the colony troops and militia with rations.

Ordered, That the Committee on public accounts do inquire into the state of the colony Treasury, and report thereon as soon as possible.

Resolved, That Edward Rutledge, Esq; one of the Delegates from this Colony to the Continental Congress, have leave to return.

Mr. Rutledge, from the Committee appointed to consider the necessity and expediency of raising another regiment of Rifle-men, for the service of this colony, delivered in a report.

Ordered, That the said report be taken into consideration to-morrow.

Adjourned to eleven o'clock to-morrow.

WEDNESDAY, FEBRUARY 28, 1776.

The Congress met.

And the journal of yesterday was read.

The Congress entered upon the consideration of the report of the Committee, to consider and report on the necessity and expediency of raising another regiment of Rifle-men.

A motion was made, That a question be put, whether a second regiment of Rifle-men should be raised?

A debate ensued,

And the question being put,

The Congress divided.

The Yeas went forth.

Tellers,

Tellers, } For the Yeas, Mr. Salvador,
 } For the Nays, Col. Pinckney.

Yeas 51

Nays 37

So that it was resolved in the affirmative.

A motion was made, That the said regiment shall consist of seven hundred men.

A debate arose,

The question was put,

And passed in the negative,

A motion was then made, That the said regiment shall consist of six hundred men.

After some debate,

The question was put,

And passed in the negative.

A motion was made, That a Colonel be appointed to command the said regiment.

A debate arose,

And the question being put,

It passed in the negative.

The report of the Committee on the expediency of raising another regiment of Rifle-men being gone through,

Resolved, That a second regiment of Rifle-men, to take rank as the sixth regiment in the colony service, be raised as soon as possible; to consist of five companies of one hundred men each, under a Lieutenant Colonel Commandant, and a Major; upon the same terms and establishment as the first regiment of Rifle-men.

Major Cattell, from the Committee to consider and report the best ways and means to supply the troops and militia with rations, delivered in a report.

Ordered, That the said report be taken into consideration to-morrow morning.

Upon an application by Mr. Geo. Ancrum, jun.

Ordered, That Mr. President do write to Georgia, to request the good offices of the Congress or Council

cil of Safety there, to enable Mr. Ancrum to export from thence to this colony, certain goods the property of the said Ancrum, which had been detained for the Indian trade.

Adjourned to nine o'clock to-morrow.

THURSDAY, FEBRUARY 29, 1776.

The Congress met,

And the journal of yesterday was read.

Agreeable to the order of yesterday, the report of the Committee, on the best ways and means of supplying the troops and militia with rations, was taken into consideration.

On motion, to disagree with a part of the said report, recommending an allowance of (not exceeding) forty shillings per day, to the Clerks of the Commissary General.

A debate arose,

And the question being put,

It was determined in the affirmative.

The said report having been fully debated and amended, the Congress came to the following resolutions thereupon, viz.

Resolved, That a Commissary-General be appointed, to supply the colony troops and militia with rations, and also to supply the hospital with such provisions as the Director shall require.

That the said Commissary-General be allowed as many Deputy Commissaries and Clerks, as, with the approbation of the Council of Safety, he may judge necessary. The said Deputy Commissaries and Clerks to be approved of by the Council of Safety, who shall be informed by the Commissary General, what branch of service they are to be employed in. And the Council of Safety are empowered to allow such salaries to the Clerks so appointed, as they shall deem

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sufficient,

sufficient, not exceeding five hundred pounds per annum, and one ration each per day.

That the Commissary-General, shall be allowed a salary of two thousand pounds currency per annum; and each Deputy, a pay not exceeding three pounds per day, and two rations; and also such boat hire, and other charges, as the Council of Safety may think reasonable. And that orders to the Commissary-General, shall be issued in writing, from the Council of Safety, or the Commander of the troops for the time being.

That the Commissary shall give bond, with surety, for ten thousand pounds, duly to account for the monies that may be advanced to him. And that he shall once in every month, make a return to the Commander in Chief; and once in every three months, render an account, on oath, to the Council of Safety, of what provisions he hath purchased, what has been delivered to each corps respectively, what remains on hand, and at what places; and that the accounts rendered by the Deputies to the Commissary-General, shall also be on oath.

That the Commissary-General, shall from time to time, acquaint the Council of Safety with his proceedings; point out abuses, and the proper remedies for them; represent the best mode to be pursued for supplying the army plentifully, regularly, and at the same time with oeconomy; and he shall have timely notice, at what places magazines are to be formed, of what quantity and quality.

That no money be paid for rations that have not been drawn; and whatsoever officer, whether Commissary-General, Deputy-Commissary, or Clerk, shall pay for such rations, he shall be dismissed from his office. And that, if the Commissary-General shall apprehend more rations have been drawn by any
corps

corps than they have a right to, he shall immediately acquaint the Council of Safety thereof.

That the price of rations shall not be fixed : But that the Commissary-General shall be impowered to purchase provisions on the best terms, or to contract for them, with the approbation of the Council of Safety, and whose draughts or certificates, if approved by the said Council, shall be answered.

That besides the rations of beef and pork already allowed by the present Congress, there shall also be allowed one pound of bread, flour, or ship-bread, or one pint and an half of rice, each man, per day ; also salt and vinegar, not exceeding one pint per month of each ; and two pounds of pepper (if to be had) per day, for each regiment of seven hundred and fifty men, and in that proportion to other regiments. And,

That the Council of Safety shall be, and they are hereby, impowered to remove or suspend the Commissary-General, or any Deputy-Commissary, for mal-practises or incapacity, on a hearing ; and to appoint others in their room, during the recess of Congress.

Col. C. C. Pinckney, from the Committee appointed to confer with Mr. De Brahm, reported, and recommended it as an expedient measure to retain him in the colony service.

A motion was then made, That Mr. De Brahm be retained in the colony service, as an engineer upon the terms proposed yesterday.

After some debate,

The question being put,

It was resolved in the affirmative.

Resolved, That every member of Congress, who has left it, or shall absent himself from the service thereof, without leave, and does not reside more

than sixty miles from Charles-Town, shall be sent for at his own expence.

Ordered, That Mr. Kershaw, Capt. Alexander Moultrie, and Capt. Roger Smith, be a Committee to draw a proper form of Accounts to be delivered in against the public, for the service of draughts of militia, and lay the same before this Congress.

Two accounts of Richard Savage, for attendance and medicines to some of the draughted militia, who had fallen sick, were delivered in, amounting together to eighty-nine pounds and ten shillings.

Ordered, That they be referred to the Committee on public accounts.

Adjourned to five o'clock in the evening.

THURSDAY EVENING, FEBRUARY 29, 1776.

The Congress met,

The Congress proceeded to ballot for the field officers for the second regiment of Rifle-men, separately.

And Thomas Sumpter, Esq; was declared, by majority of votes, to be duly elected Lieutenant Colonel Commandant.

And William Henderson, Esq; Major, of the said regiment.

A motion was made, That the balloting for the Captains in the said regiment be adjourned till nine o'clock to-morrow morning.

A debate ensued,

And the question being put,

It was resolved in the affirmative.

Adjourned to nine o'clock to morrow.

FRIDAY, MARCH 1, 1776.

The Congress met.

And the journal of yesterday was read.

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The Congress proceeded to ballot for the Captains in the second regiment of Rifle-men.

And the ballots being reckoned, the following gentlemen were declared duly elected, by majority of votes, viz.

Samuel Taylor,	} Esquires.
James Duff,	
George Wade,	
Richard Richardson, jun.	
William Brown,	

Resolved, That no vessels whatsoever, shall pass any armed posts in the rivers and inlets, or on the coast of this colony, until a satisfactory account shall have been given of them at such posts: And that public notice be given of this resolution.

Resolved, That public notice be given, That a Commissary-General is wanted: And that the nomination of that officer be by the Council of Safety.

The Hon. Mr. Lowndes, with Col. Parsons, being returned from Georgia, Mr. Lowndes reported, that he, with Col. Parsons, and Capt. Savage, having found the Congress of that Colony dissolved, they made every representation to the Council of Safety, to induce them to co-operate with this colony, in continuing the non-exportation resolution of the Continental Congress: That the Council represented to them the great opposition, in Savannah, to the measures of Congress, which had not entered into any decisive resolve on that head; but that *they* would do every thing in their power to co-operate with us: And in short, that it was their opinion, unless this colony interfered in a forcible manner, exportation would speedily take place.

Ordered, That the thanks of this Congress be returned to the Hon. Mr. Lowndes, Col. Parsons, and Capt. Savage, for the zeal and diligence they have exerted in the discharge of the business for which they

they were delegated by this Congress to go to Georgia.

And thanks were accordingly returned to those gentlemen.

Resolved, That Col. Bull, in addition to the detachments in Savannah, from the regiment under his command, do forthwith, from the most convenient parts of Granville County, march as many men, including the draught already ordered for Charles-Town, to reinforce those detachments, as he shall think proper. And that Cyl. Pinckney do immediately detach, not exceeding one hundred men, such as shall offer themselves volunteers, from the militia now in Charles-Town, and cause them to be conveyed or marched to Savannah, to join the forces under the orders of the commanding officer from this colony.

Ordered, That Mr. President, the Hon. Mr. Lowndes, and Mr. John Rutledge, be a Committee, to prepare a form of orders proper to be given to Col. Bull.

Resolved, That one Pay-master be appointed for the two regiments of Rifle-men resolved to be raised.

Resolved, That this Congress will immediately proceed to ballot for a Pay-master for the two regiments of Rifle-men.

And that officer being ballotted for accordingly,

Richard Mercer, Esq; was declared, by majority of votes, duly elected.

Adjourned to nine o'clock to-morrow.

SATURDAY, MARCH 2, 1776.

The Congress met,

And yesterday's journal was read.

Mr. Rutledge from the Committee to prepare a form of orders proper to be delivered to Col. Bull, made a report, which being amended, was unanimously agreed to as follows :

South

South Carolina.

By Authority of Congress.

To STEPHEN BULL, Esq; Colonel, or, To the Commanding Officer for the time being, of the South-Carolina forces ordered to act in aid of Georgia.

WHereas there is reason to apprehend, that attempts will be made to cause the merchant vessels in Savannah River to sail with their cargoes. And as such a proceeding would be detrimental to the interest of America, it becomes this colony to aid the friends of America in Georgia, by endeavouring, with them, effectually to prevent the said vessels sailing with their cargoes: Therefore, you are hereby ordered under the direction of the Colonel of the continental forces in Georgia, and with the concurrence of the friends of America in that colony, to take post on either side of Savannah River, with the troops under your command, and use every effort in your power to incapacitate those vessels from proceeding with their cargoes on their several voyages; and to that end, cause them to be forthwith unrigged, their rudders taken off, and their sails and rudders deposited in some secure place, or kept under a proper guard.

You are also ordered, under the direction and with the concurrence aforesaid, to give every aid in your power for repelling insurrections and invasions there, and securing and imprisoning every person in Georgia, whose going at large may be dangerous to the liberties of America, or the security of that colony.

Having executed these orders, you are, either with all or a part of the forces under your command, to return to this colony, or remain in Georgia, at your discretion, and so act, under the direction, and with the concurrence aforesaid, as you shall think most advantageous to the American cause, until you shall receive

receive further instructions from the Congress or Council of Safety of this colony; to whom you are, from time to time, to transmit full information of your proceedings.

Ordered, That an engrossed copy of the above orders be forthwith made out, signed by Mr. President, and delivered to Col. Bull.

Which was done accordingly.

Ordered, That the sum of two thousand pounds be advanced to Col. Bull, for the above service, to be accounted for by him.

Ordered, That Capt. Hammond, Mr. Richard Waring, and Mr. Douxfaint, be added to the Committee on public accounts.

Ordered, That Mr. Jacob Motte, and Capt. Alexander Moultrie, be added to the Commissioners for signing the first emission of money; by authority of Congress. And that Mr. John Izard, Capt. William Skirving, Mr. Richard Waring, Capt. Robert Ladson, Mr. Elias Horry, jun. and Capt. Benjamin Smith, be added to the Commissioners for signing the second emission, under the same authority.

Mr. Salvador, from the Committee to whom the report on the state of the interior parts of the colony, lately in commotion, was recommitted, reported on the part which had been recommitted.

Ordered, That the said report be taken into consideration to-morrow.

Ordered, That the Committee appointed to form a plan of government, do forthwith sit, and that they do report to-morrow.

Adjourned to ten o'clock to-morrow.

SUNDAY,

SUNDAY, MARCH 3, 1776.

The Congress met,

And the journal of yesterday was read.

Ordered, That Col. Powell, Mr. Edwards, Mr. Neufville, Capt. Roger Smith, Capt. Trapier, Mr. Salvador, and Mr. Matthews, be a Committee to consider of ways and means for payment of the services already voted; and that they do report to-morrow.

Read a letter from the Committee of St. Bartholomew's parish, dated the 29th past, inclosing an inventory of the estate and effects of John Stuart, Esq; in that parish, taken in consequence of the order of Congress of the 3d.

The Congress proceeded on the order of the day, to consider the re-committed part of the report on the state of the interior parts of the colony lately in commotion.

After some time spent in debate thereon,

Adjourned to nine o'clock to-morrow.

MONDAY, MARCH 4, 1776.

The Congress met,

And the journal of yesterday was read.

The President of the Council of Safety laid before the Congress a letter which he had last night received from Mr. Habersham, in Georgia, dated Savannah, February 28, 1776, representing the present state of public affairs in that colony.

Ordered, That Mr. Simon Berwick be added to the commissioners for signing the first emission of money ordered by Congress.

Resolved, That a letter be forthwith written to Col. Bull, inclosing to him a copy of the letter received from Savannah.

Ordered, That Mr. Kershaw be added to the Committee on public accounts.

Col. Charles Cotesworth Pinckney, from the Committee appointed to prepare such a plan or form of government as will best produce the happiness of the people, and most effectually secure peace and good order in the colony, during the continuance of the present dispute between Great-Britain and the Colonies, delivered in a report.

Ordered, That the determination when the said report shall be taken into consideration, be postponed till to-morrow morning eleven o'clock.

Resolved, That all the members of Congress within sixty miles of Charles-Town, who are still absent, be forthwith sent for, by *special messengers*, at their own expence.

The Rev. Mr. Tennent from the Committee to whom the petition of William Hill, relative to a bloomery, was referred, delivered in a report.

Ordered, That the consideration thereof be postponed.

Adjourned to nine o'clock to-morrow.

TUESDAY, MARCH 5, 1776.

The Congress met,

And the journal of yesterday was read.

Ordered, That the Committee appointed to superintend and promote the making of gunpowder in this colony do forthwith make a report of their proceedings to the Congress.

Ordered, That Col. Powell, the Rev. Mr. Tennent, Mr. Corbet, Col. Gervais, Mr. Felder, and Mr. Kershaw, be a Committee to consider and report the best means of erecting a powder-mill, and of promoting the making of gunpowder in this colony.

Mr. President of the Council of Safety laid before the Congress the following papers, received this morning by express from Georgia, and addressed to their Board, viz.

A letter

A letter from the Council of Safety of Georgia, dated Savannah, the 1st instant.

Another letter from the same, dated the 2d instant.

Copy of a certain resolution entered into by said Council—same date.

Copy of a proclamation issued by said Council—same date.

Resolved, That the unanimous thanks of this Congress be returned by Mr. President to the Council of Safety of Georgia in terms of the highest approbation of their noble and spirited conduct.

A return was made of the election of Tho. Tudor Tucker, Esq; on the 26th past, to be a member of the present Congress, to represent the parish of St. George, Dorchester.

Notice being at the same time given, that Mr. Tucker declined to serve;

Ordered, That the Committee for the said parish of St. George, Dorchester, do forthwith take the proper measures for filling up the vacancy.

The Rev. Mr. Tennent, from the Committee to consider and report the best means of promoting the making of Nitre in this colony, delivered in a report.

Resolved, That Henry Peronneau and Benjamin Dart, Esqrs. joint Public Treasurers, be ordered forthwith to lay before this Congress an exact state of the Treasury under their care.

Ordered, That they be immediately served with a copy of the above resolve.

Capt. Roger Smith, from the Committee to consider of ways and means for payment of the services already voted, delivered in a report.

Ordered, That Mr. President, Mr. John Rutlege, Col. Powell, Col. C. C. Pinckney, and Capt. Shubrick, be a Committee to prepare proper rules and

articles for the better regulation and government of the navy of this colony.

The Congress then proceeded in the order of the day.

After a considerable time spent in debate,

A motion was made, That this Congress do postpone the consideration of the report on a plan or form of government until May next.

A debate arose,

The question was put,

And passed in the negative.

Resolved, That this Congress will on Thursday morning next, in a Committee of the whole, take into consideration the report of the Committee who were appointed by ballot to prepare such a plan or form of government as will best produce the happiness of the people, and effectually secure peace and good order in the colony.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, MARCH 6, 1776.

The Congress met,

And the journal of yesterday was read.

Mr. President laid before the Congress the following copy of the letter written by their order to Georgia :

South Carolina.

Charles Town, March 5, 1776.

By Authority of Congress.

To the Honourable the Council of Safety for Georgia.

Gentlemen,

YOUR letters of the 1st and 2d instant, and your resolutions, order, and proclamation of those dates, were laid before the Congress, transfusing a general and perfect joy—And the Congress, sensible of the vast importance which your exemplary conduct must be of to the American cause, unanimously voted their

their thanks; and I have the honour thus to transmit them to you, for your having decisively taken the noble, politic, and vigorous resolution, That the vessels in the ports of Savannah, ready to sail contrary to the interest of America, shall be forthwith unrigged and unruddered; and, That rather than the enemy shall possess those vessels and your capital, *all* shall perish in a noble conflagration lighted by yourselves—an instance of heroic principle not exceeded by any, and equalled but by few in history.

Your conduct, in citing such of the inhabitants of Savannah as had abandoned their possessions in that town to return to its defence, under penalty of being deemed to have deserted such property, and of being excluded from any support towards obtaining an indemnification for any loss they may sustain by a general conflagration, received the highest applause as being worthy of imitation—The policy and justice of the measure are equally conspicuous.

In short, the Congress feel the greatest satisfaction from their having anticipated your call for assistance; it is sufficient that we know our friends stand in need of our aid: we hope that our forces under Colonel Bull will fully accommodate your necessities: and you may rest assured, that we shall continue to afford the friends of America in Georgia every support in our power.

I have the honour to be, Gentlemen,

Your most humble Servant,

WILLIAM-HENRY DRAYTON, *President.*

Mr. Peronneau and Mr. Dart, in conformity to the order of yesterday, attended and delivered in the following

“ *State of the Paper Currency in the Public Treasury of South-Carolina:*

Of lawful bills of credit, so torn

and

and obliterated as not to be current, of various denominations, about	£50,000	0	0
Of tax certificates and public orders out of date, and kept to be destroyed,	20,620	0	0
Of certificates issued by the House of Assembly,	17,900	0	0
Of certificates issued by the Congress,	23	15	0
There is owing on bonds to the King for negro duties,	11,693	12	10
And on notes to the Joint Treasurers for other duties,	18,693	18	4
<i>March 6, 1776.</i>	£118,931	6	2

Signed Henry Peronneau, } *Joint Public Treasurers.*
 Benjamin Dart, }

The report from the Committee on ways and means for payment of the services already voted was taken into consideration.

And the said report having been debated and amended, the Congress came to the following resolutions thereupon :

Whereas it appears, that on the 28th day of February; after discharging the services now due, there remains in the Colony Treasury no more of the one million one hundred and twenty thousand pounds issued by authority of Congress, than three hundred thousand pounds : And whereas the charge of the naval and military establishments, calculated from the first instant to first of January next, will amount to one million one hundred and nineteen thousand two hundred and seventy-six pounds ; so that should this colony obtain the allowance for three continental battalions, with rations at three shillings per man per day,

day, amounting to three hundred and sixty-five thousand three hundred pounds, with the sum remaining in the Treasury, there will be a deficiency of four hundred and fifty-three thousand nine hundred and seventy-six pounds, and there may be wanted, for contingencies, two hundred and ninety-six thousand and twenty-four pounds more: Therefore,

Resolved, That a sum not exceeding seven hundred and fifty thousand pounds currency, in bills or certificates, in the quantities, and of the denominations following, be stamped or printed, signed, and lodged in the Treasury, viz.

- 2000 bills of one hundred pounds each,
- 3700 — of fifty pounds each,
- 5200 — of twenty-five pounds each,
- 9000 — of fifteen pounds each,
- 5000 — of three pounds each,
- 10,000 — of two pounds five shillings each,
- 5500 — of two pounds each,
- 10,000 — of one pound fifteen shillings each,
- 6000 — of one pound ten shillings each,
- 10,000 — of seventeen shillings and six-pence each,
- 10,000 — of twelve shillings and six-pence each,
- 12,000 — of six shillings and three-pence each,
- 10,000 — of five shillings each,
- 10,000 — of three shillings and nine-pence each,
- 10,000 — of two shillings and six-pence each,
- 10,000 — of one shilling and three-pence each.

Resolved, That the Public Faith of this Colony be, and it is hereby solemnly pledged, to provide funds for calling in and sinking the bills to be issued under the foregoing resolutions.

And whereas notwithstanding the great issue of paper Currency, it appears, that cash is scarce in circulation;

circulation; but to avoid a redundancy of such currency,

Resolved, That a Power be, and is hereby vested in the Council of Safety, to borrow on interest the whole or any part of the said sum of seven hundred and fifty thousand pounds now resolved to be issued, if they shall find it expedient and practicable.

The report of the Committee to whom the petition of William Hill was referred, being taken into consideration, debated on, and amended,

Resolved, That the sum of one thousand pounds currency be paid by the Commissioners of the Treasury to William Hill, upon his producing and depositing with them proper conveyances and titles of his land, and the improvements thereon, situated on Allison's creek, a branch of Catawba river, in St. Mark's parish, to be made to Col. Thomas Neel, Capt. Samuel Watson, and Mr. John Howe, in trust for the public, for repayment of the said sum of one thousand pounds—within the term of two years.

Resolved, That no monies be issued by Henry Peronneau or Benjamin Dart, Esqrs. Joint Public Treasurers, out of the Public Treasury, until the further order of this Congress, or authority derived from them.

The following prohibition was accordingly issued by Mr. President, and served upon the said Treasurers:

South Carolina.

Charles-Town, March 6, 1776.

By Authority of the Congress.

To Henry Peronneau and Benjamin Dart, Esqrs.
Joint Public Treasurers.

GENTLEMEN,

YOU are hereby prohibited from issuing or causing to be issued any public money in your charge, without

without order first had and obtained from the Congress,
or proper authority derived from them.

I am, Gentlemen,

Your most humble Servant,

WILLIAM-HENRY DRAYTON, *President.*

Adjourned to nine o'clock to-morrow.

THURSDAY, MARCH 7, 1776.

The Congress met,

And the journal of yesterday was read.

On motion, the Congress entered into the following resolution:

Whereas some doubts have arisen whether the bounty money, and the sum allowed for cloathing, to the men inlisted into the colony regiment of Artillery, was intended, by the resolve of Congress of the 22d of February last, to extend to the two companies to be raised for the defence of Fort Lyttelton and George Town: it is hereby declared and resolved, that the same bounty and allowance for cloathing shall be paid to and for the men enlisted in the said companies, as to those who are raised for the regiment of Artillery.

A motion was made, That the men to be raised for the regiment of Rangers be inlisted to serve until the first day of June next, unless sooner discharged by proper authority, upon one month's pay being advanced,

A debate arose,

And the question being put,

Resolved in the affirmative.

Ordered, That Capt. Hammond, Col. Thomas, Major Williamson, Mr. Kershaw, Mr. Beard, and Mr. Felder, be a Committee to consider and report the most proper places for erecting of ironworks in this colony, and what encouragement from the public, in their opinion, may be most effectual to

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promote the establishment of such works, and the manufacturing of iron.

Resolved, That the order of the day be postponed; and that this Congress will to-morrow morning, nine o'clock, resolve itself into a Committee of the whole, to take the same into consideration,

Adjourned to nine o'clock to-morrow.

FRIDAY, MARCH 8, 1776.

The Congress met,

And yesterday's journal was read.

Resolved, That this Congress will now resolve itself into a Committee of the whole, to take into consideration the report on a plan or form of government.

After some time spent therein,

Col. Powell, from the Committee of the whole, reported, That having taken into consideration the report on a plan or form of government, they had made some progress therein, and desired leave to sit again.

Resolved, That this Congress will to-morrow again resolve itself into a Committee of the whole, and resume the consideration of the said report.

Mr. President informed the Congress, that he had just received a letter, by express, from Georgia, containing very important intelligence.

Ordered, That the said letter be read.

Read accordingly, a letter from the Council of Safety in Georgia, signed William Ewen, President, and dated Savannah, March 4, 1776.

Ordered, That the Secretary to this Congress do forthwith cause the said letter to be published in a Gazette extraordinary.

Adjourned to nine o'clock to-morrow,

SATURDAY, MARCH 9, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress resolved itself into a Committee of the whole, to resume the consideration of the report on a plan or form of government.

And some time being spent in the said Committee,

Major Cattell reported, That they had made some progress in the report on the plan or form of government, and desired leave to sit again,

Resolved, That this Congress will, to-morrow, again resolve itself into a Committee of the whole, to resume the consideration of the said report.

Adjourned to nine o'clock to-morrow.

SUNDAY, MARCH 10, 1776.

The Congress met,

The Rev. Mr. Turquand performed Divine Service.

The journal of yesterday was read.

Resolved, That the resolution of Congress in January 1775, prohibiting the killing of Sheep in this colony, be repealed. And in lieu thereof it is now resolved, That no lambs, or sheep under two years old, shall be killed for sale.

Agreeable to the resolve of yesterday, the Congress resolved itself into a Committee of the whole.

After some time spent therein,

Major Cattell reported, That they had made a further progress in the report before them, and desired leave to sit again.

Resolved, That this Congress will, to-morrow, again resolve itself into a Committee of the whole, to resume the consideration of the report on the plan or form of government.

Adjourned to nine o'clock to-morrow.

MONDAY, MARCH 11, 1776.

The Congress met,
And the journal of yesterday was read.

Resolved, That every soldier or militia man, who shall engage to labour on the public works, shall, in addition to their regimental or militia pay, receive such pay, as with each of them shall be agreed by Mr. Daniel Cannon, who shall weekly render in and receive payment on his account for such services.

The Congress, agreeable to the order of yesterday, again resolved itself into a Committee of the whole, to resume the consideration of the report on the plan or form of government.

And having spent some time therein,

Major Cattell, from the said Committee reported, that they had made a farther progress, and desired leave to sit again.

Resolved, That this Congress will, to-morrow, again resolve itself into a Committee of the whole, to resume the consideration of the said report.

Adjourned to nine o'clock to-morrow.

TUESDAY, MARCH 12, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress, agreeable to the resolve of yesterday, resolved itself into a Committee of the whole, and resumed the consideration of the report on a plan or form of government.

After some time spent therein,

Major Cattell from the said Committee reported, that they had made a further progress, and desired leave to sit again.

Resolved, That this Congress will, to-morrow, again resolve itself into a Committee of the whole, to proceed on the said report.

Adjourned to nine o'clock to-morrow.

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WEDNESDAY, MARCH 13, 1776.

The Congress met,

And the journal of yesterday was read.

Ordered, That Mr. Loockock, Mr. Theodore Gaillard jun. Mr. Kershaw, Mr. Toomer, and Mr. Verree, be a Committee to enquire and report the quantity of salt now in the colony, and the prices at which the respective holders purchased the same.

Resolved, That no person shall have permission to remove out of this colony, until such person so intending to remove with permission, shall have first given ten days public notice, by advertisements affixed at the doors of the State House, of his or her intention to apply for such leave.

The Congress having resumed the consideration of the report to enquire into the state of the interior parts of the colony lately in commotion, and the most likely measures to preserve peace, and to prevent future commotions therein, and having gone through the said report,

Resolved, That a declaration of pardon and amnesty be published to the late insurgents, with certain exceptions.

That all persons who shall hereafter bear arms against, or shall be active in opposing the measures of the Continental or Colony Congress, and upon due conviction thereof before a majority of the Committee of the district or parish where such persons reside, be disarmed, and at the discretion of the said Committee taken into custody; and if necessary thereto, the said Committee shall call in the aid of the military, as soon as possible, transmitting to the Congress or Council of Safety an account of such proceedings.

That all reasonable indulgence ought to be given to the aforesaid late insurgents, and as far as is consistent

sistent with the public safety, they be allowed to trade as usual, except for arms and ammunition.

That if any person who has been disarmed, shall convince the Committee aforesaid, that he sincerely desires to join in support of the American cause, his arms shall be restored to him, and in every respect he shall be put on the footing of an Associator, upon his taking the following oath:

I A. B. do, upon the Holy Evangelists (or according to the form of my profession) freely, voluntarily, and without the least compulsion, evasion, or mental reservation, solemnly swear and declare, that I will at all times, to the best of my power, aid and support the authority of Congress, and every authority derived from them: And also, that I will pay obedience to the Continental and Provincial Councils, according to the true meaning and spirit of the Association entered into by the Congress of this colony on the 4th of June last.

So help me GOD.

That if any person having been disarmed shall, without leave of the Committee aforesaid, be found in possession of arms or ammunition, or be convicted of having purchased either of those articles, he shall again be disarmed, and committed to close confinement by the said Committee; they transmitting as soon as possible to the Congress or Council of Safety an account of such proceeding.

That all Commissions of officers who have been in arms against the authority of Congress; or who have been or shall be convicted of having been active in opposing the authority of Congress, or having refused to act in support of that authority, be, and shall be null and void.

That the respective Committees, and supporters of the American cause, ought to discourage the use of any opprobrious language, reflecting upon the late misbehaviour

misbehaviour of the aforesaid insurgents, who behaving in a peaceable manner, ought to be treated with friendship and humanity, tenderness and moderation, as the Congress wishes to reclaim rather than punish.

Resolved, That the consideration of the order of the day be postponed.

Resolved, That this Congress will, to-morrow, again resolve itself into a Committee of the whole, to resume the consideration of the report on a plan or form of government.

Adjourned to nine o'clock to-morrow.

THURSDAY, MARCH 14, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress resolved itself into a Committee of the whole, according to the resolve of yesterday, and resumed the consideration of the report on a plan or form of government.

After some time spent therein,

Major Cattell, from the said Committee, delivered in a partial report on a plan or form of government in this colony, until an accommodation shall take place between Great Britain and the British American colonies.

And the said report being read,

Ordered, That the same be taken into consideration to-morrow.

Ordered, That Mr. President do prepare a draught of a declaration of pardon and amnesty to the late insurgents, agreeable to the resolution of this Congress of yesterday.

Resolved, That the Committees for George Town and Beaufort respectively be, and they are hereby authorized and impowered to purchase and fit out a proper

proper armed vessel at each of those ports, for the protection of the trade and navigation thereof.

The report of the Committee to point out the best mode of encouraging the making of Salt-petre in this colony being taken into consideration,

After some debate thereon, the Congress

Resolved, That Doctor David Ramsay be requested to superintend the public Nitre works in Charles Town, and to direct the manufacturing of nitre at the said works : And that the sum of five hundred pounds be lodged in Dr. Ramsay's hands for repairing the said works, and for the carrying on the manufacture of nitre thereat to the best advantage, to be by him accounted for.

That the said works be open to all persons, who for the purpose of acquiring instruction shall choose to visit them : And that Dr. Ramsay be requested to publish as soon as he can the most easy and simple method of manufacturing nitre ; and that from time to time he also publish such further improvements therein as he may experience.

That a person be appointed by every Parochial or District Committee to receive all such good nitre made in the colony as shall be offered to such person ; and the said Committees shall transmit the quantities so received to the Council of Safety, who, after the nitre now belonging to the public shall be made into gun-powder, shall then be authorized to exchange gun-powder for salt-petre, at the rate of one pound of gun-powder manufactured at the public works for one pound and a half of nitre transmitted as aforesaid : And where the owner of the nitre shall not choose such powder in exchange, he may receive in lieu thereof twenty shillings currency the pound.

Ordered, That the secretary do forthwith cause a number of copies of directions for an easy process in the

the making of salt-petre, sent by Mr. Lynch from Philadelphia, to be printed and distributed amongst the members, that they may be properly dispersed.

Adjourned to nine o'clock to-morrow.

FRIDAY, MARCH 15, 1776.

The Congress met,

And the journal of yesterday was read.

The Congress proceeded to take under consideration the report of the Committee of the whole on a plan or form of government in this colony.

And proceeding in that clause of the first section of the said report, " That this Congress, being a full
" and free representation of the people, shall hence-
" forth be called the **GENERAL ASSEMBLY** of
" South Carolina,"

A motion was made, That the said clause be struck out.

After some debate,

The question was put,

And passed in the negative.

On reading the clause, " That this Congress, as a General Assembly, shall continue as such, until the 20th day of July next,"

A motion was made for an amendment, by striking out the words " 20th of July," and inserting in their stead, the words " 21st of October."

And the question being put,

Resolved in the affirmative.

The second section of the said report being read,

A motion was made, That the words, " Legis-
lative Council," be struck out.

A debate ensued,

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And

And the question being put,

The Congress divided,

The Yeas went forth,

Teller for the Yeas, Col. Gadsden.

Teller for the Nays, Col. Pinckney.

Yeas 30

Nays 40

So that it was determined in the negative.

A motion was then made, That the said Legislative Council shall consist of twenty-one members, eleven whereof to be a quorum.

After some time spent in debate,

The question was put,

And passed in the negative.

On motion, That the said Council shall consist of seventeen members, nine of them to be a quorum,

The question was put,

And passed in the negative.

A motion was made, That the said Council shall consist of fifteen members, whereof nine to be a quorum.

And the question being put,

It passed in the negative.

A motion was made, That the members of the said Legislative Council be chosen by ballot "from among the members of the General Assembly."

After some time spent in debate,

The question being put,

Resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

SATURDAY, MARCH 16, 1776.

The Congress met,

And the journal of yesterday was read.

The

The congress resumed the consideration of the report of the Committee of the whole on a plan or form of government.

And the third section of the said report being read,

A motion was made, To strike out the word " President," and to insert instead thereof the word " Governor."

After some debate,

The question was put,

And passed in the negative.

The fourth section of the said report being read,

A motion was made for an amendment, by inserting after the words, " by ballot," the words, " from among themselves, or the people at large."

The question being put,

Resolved in the affirmative.

The fifth section of the said report being read,

A motion was made for an amendment by inserting, after the words " Legislative Council," Provided always, That no officer in the army or navy, in the service of the continent, or of this colony, shall be eligible.

After some time spent in debate,

The question being put,

Resolved in the affirmative.

The Congress then proceeded in the seventh section of the report on a plan or form of government.

A motion was made to amend the same, by striking out the words " bills of supply," and inserting instead thereof the words " money bills."

After some debate,

The question being put,

L 2

Resolved

Resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

SUNDAY, MARCH 17, 1776.

The Congress met.

And the journal of yesterday was read.

The Congress resumed the consideration of the report of the Committee of the whole on a plan or form of government.

The eleventh section of the said report being read,

A motion was made to strike out the words "every year," and to insert in lieu thereof, the words "the same days in every second year."

After some debate,

The question being put,

Resolved in the affirmative.

On motion to agree with that part of the said eleventh section which directs, "That each parish and district have the same representation as at present,"

A debate ensued,

And the question being put,

Resolved in the affirmative.

Adjourned to nine o'clock to-morrow.

MONDAY, MARCH 18, 1776.

The Congress met according to adjournment.

And the journal of yesterday was read.

Resolved, That the Council of Safety be, and they are hereby empowered and directed to appoint a proper person as Barrack Master, whose duty it shall be to take care of the barracks, and to procure proper quarters and barrack necessities for the colony troops and militia.

The Congress resumed the consideration of the report of the Committee of the whole on a plan or form of government.

Upon

Upon reading the last clause of the eleventh section,

A motion was made to amend the same, by inserting at the end thereof the words, " and construed to mean clear of debt."

A debate arose,

And the question being put,

Resolved in the affirmative.

The thirteenth section being read,

A motion was made for an amendment by inserting the words, " shall not be elected oftener than twice successively."

A debate ensued,

And the question being put,

It passed in the negative.

Adjourned to nine o'clock to-morrow.

TUESDAY, MARCH 19, 1776.

The Congress met,

And the journal of yesterday was read.

The consideration of the report of the Committee of the whole on a plan or form of government was resumed.

After some progress made therein,

Ordered, That the further consideration thereof be postponed.

The Congress then proceeded to take into consideration the report of the Committee to inquire what quantity of salt is in the colony.

And the said report being debated on, and gone through, the following resolutions were thereupon entered into:

Whereas information hath been laid before the Congress that certain persons do monopolize the necessary article of Salt, and demand an extravagant price for the same; and also require specie in payment,

ment, to the detriment of the continental and colonial currency; the Congress do therefore

Resolve, That no person do hereafter presume to sell Salt for more than twenty-five shillings per bushel, exclusive of the expence of reasonable freight or carriage to the distant parts of the colony; and that Mr. *Joseph Kershaw*, Mr. *Loock*, Mr. *Samuel Prio-leau jun.* Capt. *Maurice Simons*, and Capt. *Samuel Legaré*, for Charles Town; Mr. *Daniel de Sauffure* and Mr. *Thomas Hughes*, for Beaufort; and Mr. *George Croft* and Mr. *Anthony Bonneau*, for George Town, be, and they are hereby appointed Commissioners, and empowered to enquire after, and buy up out of the hands of individuals, all quantities of Salt which such individuals may have, more than necessary for their respective families; and to dispose of the same in small quantities at the same rate. And that the said Commissioners do also purchase all the Salt which may be imported within six months.

That Col. *Laurens*, Mr. *Ferguson*, the Rev. Mr. *Tennent*, Mr. *Edwards*, and Mr. *Gibbes*, be, and they are hereby appointed Commissioners to erect and superintend a public salt work at or near *Charles Town*: That Mr. *Joseph Allston*, Capt. *William Allston*, Mr. *Benjamin Young*, Mr. *Peter Simons*, and Mr. *Thomas Butler*, be, and they are in like manner appointed Commissioners for a public salt work on the northern coast: And that Capt. *Thomas Tucker*, Mr. *Daniel Jenkins*, Mr. *Joseph Fickling*, Mr. *James Clark*, and Mr. *James Fickling*, be, and they are hereby appointed Commissioners in like manner for a public salt work on the southern coast of this colony. That each board of the said Commissioners respectively shall have power to draw upon the colony Treasury for any sum not exceeding *Seven thousand Pounds* currency, for defraying the necessary expences incurred

curred by this service. And that they shall sell the salt to be made at the said public works at the most *reasonable* rate.

Resolved, That all continental currency, all currency issued by authority of the Congress of this colony, and all tax-certificates, and other certificates and orders issued by authority of the Commons House of Assembly, shall be, and they are hereby declared legal tenders in all payments whatsoever within this colony.

The Congress then again resumed the consideration of the report on a plan or form of government.

Upon reading the sixteenth section,

A debate arose, and

A motion was made to amend the same, by striking out the words, "there shall be a Chancellor, who," and inserting instead thereof the words "the Vice President of the colony and the Privy Council, or the Vice President and a majority of the Privy Council for the time being."

The question being put,

Resolved in the affirmative.

A motion was made to amend that clause of the said section respecting an Ordinary.

And the question being put,

It passed in the negative.

Adjourned to nine o'clock to-morrow.

WEDNESDAY, MARCH 20, 1776.

The Congress met,

And the journal of yesterday was read.

Resolved, That one half of the established rates of ferryage, for single persons and horses, is a sufficient allowance for the transporting any number more than three at a time of the colony forces or militia in times of alarm, over any of the established ferries in this colony.

The

The Congress resumed the consideration of the report of the Committee of the whole on a plan or form of government.

Upon reading the section relative to a Court of peals,

A motion was made to disagree to the said section.

A debate arose,

And the question being put,

Resolved in the affirmative.

The nineteenth section of the said report being read,

On motion for an amendment by inserting the words, " That no persons selling liquors shall be put into the commission of the peace,"

A debate arose,

And the previous question being put,

It passed in the negative.

A motion was made to strike out of the same section the words, " that they [the magistrates] shall not be intitled to fees, except on prosecutions for felony."

After some debate,

The question was put,

And passed in the negative.

Upon reading the twenty-fifth section of the said report,

A motion was made to insert, after the words " during pleasure," the words: " until otherwise directed by resolution of the General Assembly and Legislative Council."

After some debate,

The question being put,

Resolved in the affirmative.

Ordered, That Mr. President, Major Cattell, Capt. Moultrie, Capt. Lynch, and Mr. Salvador, be a Committee to consider and report to-morrow morning

ing what salaries are proper to be allowed to the several public officers.

The Congress being informed of the arrival of a Committee from North Carolina, to concert with a Committee of this Congress a plan of measures for mutual defence and assistance,

Ordered, That the present members of the Council of Safety, together with Col. Gadsden, and all the other field officers of the several corps of regular forces of this colony, be a Committee to confer with the Committee from North Carolina, and with them to concert a proper plan.

Col. Charles Cotesworth Pinckney, from the Committee to prepare proper rules and regulations for the government of the navy of this colony, delivered in a report ;

And the said report being read,

Ordered, That the consideration thereof be postponed.

Adjourned to nine o'clock to-morrow.

THURSDAY, MARCH 21, 1776.

The Congress met,

And the journal of yesterday was read.

An act of the British Parliament just received from Georgia, declaring all seizures of the persons and property of, and damages done to the American colonists before the passing of the said act, from Massachusetts Bay to Georgia inclusive, to be legal ; and also declaring all the said colonies in actual rebellion, intituled, " An act to prohibit all trade and intercourse
 " with the colonies of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York,
 " New Jersey, Pennsylvania, the three Lower Counties
 " on Delaware, Maryland, Virginia, North Carolina,
 " South Carolina, and Georgia, during the continuance
 " of the present rebellion within the said colonies respectively ;

“ tively ; for repealing an act made in the 14th year
 “ of the reign of his present Majesty, to discontinue
 “ the landing and discharging, lading or shipping of
 “ goods, wares, and merchandize, at the town, and
 “ within the harbour of Boston, in the province of
 “ Massachusetts’s Bay ; and also two other acts made
 “ in the last session of parliament for restraining the
 “ trade and commerce of the colonies in the said acts
 “ respectively mentioned, and to enable any person
 “ or persons appointed and authorized by his Ma-
 “ jesty to grant pardons, to issue proclamations, in
 “ the cases, and for the purposes therein mentioned,”
 was read.

Resolved, That a copy of the said act be immediately dispatched and conveyed with all possible haste to the Continental Congress at Philadelphia ; and that proper extracts from the said act be forthwith made, printed, and published here.

Resolved, That the ship Port Henderson, Henry Aitkin, master, now lying under the cannon of fort Johnson, and bound for London, be forthwith seized and brought up to Charles Town under the care of the Prosper ship of war. That upon the said ship being brought up, the cargo on board be forthwith landed and sold ; and that the said cargoes being sold, the monies arising from such sale be lodged in the Colony Treasury.

Ordered, That Mr. Loockock be added to the Board of Commissioners appointed to erect and superintend the intended public salt-work at or near Charles Town.

Major Cattell, from the Committee to consider and report what salaries are proper to be allowed to the several publick officers, delivered in a report ;

And the said report being taken into immediate consideration,

A motion was made to agree with that part thereof which recommends a Secretary to be allowed the President and Commander in Chief, with a salary of two thousand pounds a year.

After some debate,

The question was put,

And it passed in the negative.

A motion was made to agree with the report in fixing the salary of the President and Commander in Chief at ten thousand pounds a year.

After some time spent in debate,

The question was put :

The Congress divided,

The Yeas went forth,

Tellers, { For the Yeas, Capt. Vanderhorst.
For the Nays, Mr. Salvador.

Yeas 25

Nays 27

And it was determined in the negative.

A motion was made that a yearly salary of nine thousand pounds be allowed the said President and Commander in Chief.

The question being put,

Resolved in the affirmative.

On motion to agree with the report, That the Assistant Judges be allowed a yearly salary of twenty-eight hundred pounds each,

A debate ensued,

And the question being put,

It passed in the negative.

A motion was then made, That a salary of two thousand and five hundred pounds per annum be allowed to each of the said Judges.

After some debate,

The question was put,

And it passed in the negative.

On motion to agree with the report, That a salary of one thousand pounds a year be allowed to the Ordinary,

A debate arose,

And the question being put,

Resolved in the affirmative.

A motion was made, That a Judge of Admiralty be allowed a salary of five hundred pounds a year.

After some time spent in debate,

The question was put,

And it passed in the negative.

The said report being amended and agreed to,

Ordered, That the same be added to, and made the 34th section of the report of the Committee of the whole on a plan or form of government.

Ordered, That Mr. Benjamin Eddings be added to the Commissioners for erecting a public salt-work on the southern coast of this colony.

Adjourned to nine o'clock to-morrow.

FRIDAY, MARCH 22, 1776.

The Congress met,

And the journal of yesterday was read.

A proposal of Mr. William Bellamy, That he, with some assistance from the public, would undertake to erect and complete a proper mill for making paper, and cutting files at the same time, was presented and read.

Ordered, That the said proposal be referred to a Committee of the following gentlemen, viz. Mr. Kershaw, Mr. Edwards, Mr. Loockock, the Rev. Mr. Tenpent, and Mr. William Bull, and that they do report thereon as soon as possible.

Resolved, That Col. Powell, Col. Fuller, Mr. Loockock, Capt. Shubrick, Dr. Oliphant, Mr. Cannon, and Mr. Brown be, and they are hereby appointed Commissioners for laying forthwith such obstructions

structions to the navigation of the channels over Charles-Town bar and in the harbour, as they shall judge necessary to prevent the passage of ships of war. And that the Council of Safety do give every assistance to the said Commissioners, and cause the necessary sums of money to be advanced for the carrying on this service.

Colonel Powell, from the Committee to consider and report the best means of erecting a powder-mill, and promoting the making of gunpowder in this colony, delivered in a report;

And the said report being considered, the Congress came to the following resolution :

Whereas Henry Felder, Esq; having proposed to manufacture sulphur and nitre into gunpowder; according to his offer it is

Resolved, That a proper quantity of nitre and sulphur belonging to the public be put into the hands of the said Henry Felder, Esq; to be by him made up into gunpowder and delivered into the public magazine : That Mr. Felder be allowed seven shillings and six-pence currency for each pound of gunpowder by him so made up from such materials, exclusive of the charge of carriage. And that upon his delivering a quantity of gunpowder into the hands of the Public Receiver, he be, from time to time, supplied with an equal quantity of materials, to be in like manner made up into gunpowder.

Resolved, That the following members of Congress be immediately, at their own expence, summoned to attend the public service in Congress, on or before the 26th instant, viz. Peter Leger, Gabriel Capers, Elias Ball jun. Richard Walter, Benjamin Smith, John Izard, James Akin, Charles Ellior, Robert Ladson, George Haig, William Skirving, Thomas Horry, Capers Boone, Elias Horry jun. Theodore Gaillard

Gaillard jun. Thomas Tucker, Benjamin Garden, Isaac Macpherson, John Gaillard, Philip Porcher, Peter Sinckler, and Hezekiah Maham, Esquires. And further

Resolved, That if any of the said members shall fail, without good and sufficient reason, of being present in Congress as aforesaid, such absent members shall be, at their own expence, taken into custody.

Resolved, That the Commissioners of the Treasury do pay the forty shillings per day, allowed by Congress to members attending the public service in Congress, only by warrant from the President, specifying the sum due to the member requiring payment, and that he hath leave of absence.

Col. Laurens, from the Committee to confer with the Committee from North-Carolina, and to concert a plan of measures for mutual defence and assistance, delivered in a report;

And the said report being read and agreed to,

Resolved, That three hundred men from Colonel Powell's regiment, and two hundred from Colonel Horry's (exclusive of the militia on Waccamaw Neck) nearest to the North-Carolina boundary-line, be draughted and held in readiness to march on the shortest notice, when required, to the assistance of that colony.

That one thousand men from the district of Salisbury should be draughted, and held in readiness to march on the shortest notice, when required, to the assistance of this colony. And,

That all expences attending troops sent from one to the relief of the other colony, should be paid by the colony from which they are sent; and that on stating a proper account between the two colonies, the balance in which one shall be indebted to the other shall be forthwith paid.

Ordered, That the Committee appointed on the 18th of last month to consider, among other things, of a proper division of the militia, and how the same may be rendered most serviceable to the public, do forthwith sit and give a report to-morrow.

Ordered, That Major Williamson, Col. Gervais, Capt. Williams, and Capt. Winn, be added to the said Committee.

Read a letter received last night from the Council of Safety of Georgia, dated 16th instant, with the sundry papers therein referred to, viz.

No. 1. Two letters from Messrs. Demere and Roberts to Col. M'Intosh, dated on board the Charming Nancy, 3d and 4th March—Col. M'Intosh's answer—Letter from Messrs. Demere and Roberts, 4th March.

No. 2. Letter from Col. M'Intosh to Messrs. Demere and Roberts—Letter from Capt. Barclay and Major Grant, dated on board the Hinchinbrook, 6th March—Col. M'Intosh's letter to them, 5th March—Letter from Mr. Demere to Col. M'Intosh, dated Hinchinbrook, 6th March.

No. 3. Letter from the Council of Safety in Georgia, to Capt. Barclay and Major Grant, dated Savannah, 7th March—Letter from Capt. Barclay and Major Grant, to Anthony Stokes, Esq; dated on board the Scarborough, 14th March.

No. 4. Letter from the Council of Safety for Georgia, to Capt. Barclay and Major Grant, dated Savannah, 16th March—Copy of an intercepted letter from James Taylor, dated on board the Christie, at Cockspur, 14th March, to Mr. George Houston—Copies of other intercepted letters, viz. from John Simpson in London, dated 23d December 1775, to Mr. George Houston; from Robert Grant and Comp. in London, to the same, of same date; with an extract

of

of a contract with the Commissioners of the Victual-
ling Office; from Roger Kellall in London, dated
31st December 1773; and from the same, dated 22^d
December, 10 Kellall and Spalding at Sunbury.

Adjourned to nine o'clock to-morrow.

SATURDAY, MARCH 23, 1776.

The Congress met,

And the journal of yesterday was read.

Thomas Waring, duly elected and returned a
member of Congress for the parish of St. George,
Dorchester, in the room of William Sanders, Esq;
deceased, attending, and declaring that he was willing
to serve,

Ordered, That Mr. Waring do take his seat ac-
cordingly.

Resolved, That the Commissioners appointed yester-
day for laying such obstructions to the navigation
of the channels over Charles Town Bar and in the har-
bour, as they shall judge necessary, be, and they are
hereby authorized and required to prepare proper fire-
vessels, for the most effectual annoyance of any enemy
that shall attempt to enter the said harbour.

Ordered, That Capt. Lempriere be added to the
said Commissioners.

Resolved, That all the letters which have been put
on board the ship Port-Henderson, be forthwith brought
from thence and lodged in the Constitutional Post-
Office, and there delivered to the several persons claim-
ing, the claimants opening the same in the office to
prevent mis-delivery.

Resolved, That Mr. Edwards, Capt. Roger Smith,
Mr. Hall, Mr. Loockock, Mr. Corbet, and Mr. Du-
pont, be, and they are hereby appointed Commis-
sioners for unlading and valuing the cargo of the ship
Port-Henderson, and for fixing a reasonable rate at
which the said cargo shall be sold, for consumption

or

or for sale, at a price not exceeding the purchase and carriage in small quantities by retail; and for employing proper persons to execute this service, allowing such proper persons a reasonable compensation for their trouble

Resolved, That the Commissioners appointed to purchase salt do take, for the public benefit, all such salt as they can find in the hands of private persons, as expressed in the resolve of the 19th instant, for the uses therein mentioned; paying for the said salt twenty-five shillings per bushel, and allowing for each family from whom such salt shall be taken sufficient for such family's use during six months.

Read a letter from Edward Rutledge, Esq; one of the delegates from this colony in the Continental Congress, dated at Philadelphia, 1st March 1776.

Resolved, That the delegates of this colony in the Continental Congress, or a majority of such of them as shall at any time be present in the said Congress, or any one of the said delegates, if no more than one shall be present, be, and they and he are and is hereby authorized and impowered, for and in behalf of this colony, to concert, agree to, and execute every measure which they or he, together with a majority of the Continental Congress, shall judge necessary for the defence, security, interest, or welfare of this colony in particular, and of America in general.

Resolved, That Roger Smith, Thomas Savage, John Mathewes, John Huger John Parker, Jacob Motte, Elias Horry jun. Peter Leger, and Alexander Moultrie, Esquires, be, and they are hereby appointed Commissioners to stamp, and any three of them to sign, the bills or certificates of the larger denominations, from one hundred pounds down to fifteen pounds; which bills shall also be counter-signed by any one of the Commissioners of the Treasury—

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And

And that John Deas, John Scott sen. John M'Call sen. Joshua Ward, Samuel Prioleau jun. James Fisher, John Webb, William Doughty, Alexander Inglis, William Greenwood, Samuel Legare, Nathaniel Ruffel, Thomas Jones, Peter Fayffoux, and Thomas Waring, Esquires, be, and they are hereby appointed Commissioners, with all possible dispatch to have printed, and any two of them to sign, the bills of smaller denominations, from three pounds down to one shilling and three-pence, voted on the 6th instant to be issued—And when stamped, printed, signed, and numbered as aforesaid, that they from time to time deliver all the said bills into the hands of the Commissioners of the Colony Treasury.

The report of the Committee, to whom were referred the petitions of Joseph Buffington and William Wofford, Esq; being taken into consideration and amended, the Congress came to the following resolutions thereupon :

Whereas it appears, That the fifty acres of land, upon which iron-works are to be erected by Joseph Buffington, are not his, but the property of William Wofford, Esq; or others ; and that there is an incumbrance upon the said works already begun ; and that the carrying on the said works will be a public benefit : Therefore,

Resolved, That the said incumbrance, being two thousand three hundred and eight-one pounds eight shillings and ten-pence halfpenny, due to the Hon. William-Henry Drayton, be paid ; and that the sum of four thousand pounds be lent for the carrying on and completing the said works upon the following terms, viz. That when the said William Wofford or others, having legal right so to do, shall have made to the said Joseph Buffington good and sufficient title, in fee simple, to the said fifty acres of land, saving
to

to the said William Wofford, his heirs and assigns, that on no part of the said fifty acres of land shall any grist or flour-mill to work by water be erected, and that the water shall not be stopped to the detriment of the said William Wofford, his heirs and assigns; and the said Joseph Buffington shall then have made to John Neufville, William Gibbes, and Peter Bacot, Esquires, in trust for the public, good and sufficient titles in fee simple, and also titles in like manner to one thousand acres of land, with timber for fuel contiguous thereto, and Mr. Drayton shall have transferred to the said John Neufville, William Gibbes, and Peter Bacot, Esquires, for the use of the public, all such securities as he may have, for the payment to him of the said incumbrance; then the said sum of two thousand three hundred and eighty-one pounds eight shillings and ten-pence halfpenny shall, by the Commissioners of the Treasury, be paid to Mr. Drayton; and the said Commissioners shall also then pay into the hands of Col. John Thomas, Capt. James Williams, and Mr. John Prince, the said sum of four thousand pounds, to be by them expended and laid out, as Commissioners for erecting and completing the said works; and that, if the said sum of six thousand three hundred and eighty-one pounds eight shillings and ten-pence halfpenny shall not, by the said Joseph Buffington, his heirs or assigns, be repaid to the Commissioners of the Treasury for the time being, within four years next ensuing, then the said lands with all the improvements thereon shall be sold, and the public reimbursed the said six thousand three hundred and eighty-one pounds eight shillings and ten-pence halfpenny out of the money arising from the sale; and the overplus, if any, be paid to the said Joseph Buffington, his heirs or assigns.

And whereas the establishment of another iron-work will also be of public utility : Therefore,

Resolved, That the sum of three thousand pounds for that purpose be granted to William Wofford, upon his giving full and sufficient security for the repayment of the same, within four years, to the Commissioners of the Treasury for the time being : provided nevertheless, That the said sum of three thousand pounds shall not be lent to the said William Wofford, until he shall have made, or cause to be made, good titles as aforesaid to the said Joseph Buffington to the said fifty acres of land. And also,

It is hereby declared, That the two iron-works above specified shall not be entitled to receive the premiums already declared for the encouragement of iron-works.

Mr. Edwards, from the Committee to whom the proposal of Mr. William Bellamy was referred, delivered in a report ;

And the said report being taken into immediate consideration,

Resolved, That the sum of three thousand pounds currency be advanced to the said William Bellamy out of the Colony Treasury, on loan for the term of five years, free of interest, in consideration and for the express purpose of his forthwith erecting a proper mill for making paper and cutting files, in as great perfection as in any part of Europe ; he the said Bellamy giving undeniable security to John Neufville, William Gibbes, and Peter Bacot, Esquires, Commissioners of the Colony Treasury, for the performance thereof, and for re-payment of the said sum into the said Treasury by the expiration of the said term of five years.

On motion, That this Congress do now proceed to choose

choose another captain for the second regiment of riflemen, in the room of Capt. Richardson resigned,

Resolved, That the said appointment be referred and left to the Council of Safety.

Resolved, That Thomas Lynch jun. Esq; on account of the alarming ill state of health of his father, one of the delegates from this colony, at Philadelphia, have leave of absence.

Resolved, That another delegate to represent this colony in the Continental Congress be forthwith chosen by this Congress by ballot, in addition to, and with as full powers, in all respects, as the delegates already chosen have and are invested with.

The Congress then proceeded to ballot for the said delegate;

And Thomas Lynch jun. Esq; appeared to be, and was declared duly elected.

Resolved, That Thomas Lynch jun. Esq; be, and he is hereby appointed a sixth delegate from this colony to represent the same in the Continental Congress.

Col. Powell, from the Committee to consider of a proper division of the country militia, delivered in a report;

And the said report being taken into consideration immediately, amended, and agreed to, it was

Resolved, That the regiment of militia, commanded by Col. Richard Richardson, be in the following manner divided into four battalions; each under a Lieutenant-Colonel and Major resident in the district, and the whole under the command of Col. Richardson, viz. That part of the said regiment lying eastward of Santee and Wateree rivers into two battalions, to be divided by Rafting-creek, from the mouth and north branch thereof up to its source, and thence by a line due east to Lynch's creek; and the

other part of the said regiment, lying westward of Waterce-river, into two other battalions, to be divided by Waterce-creek, and the south branch thereof up to its source, then down Jackson's-creek to the mouth, and to Shyra's-ferry on Broad-river; and,

That the fork between Saludy and Broad-rivers be divided into three regiments, according to the division of districts by the resolve of Congress of the 9th of February last, one regiment in each of the said districts.

Resolved, That Thomas Lynch sen. Esq; one of the delegates of this colony in the Continental Congress, on account of his ill state of health, have leave to return to this colony, if he shall think it necessary.

Adjourned to nine o'clock to-morrow.

SUNDAY, MARCH 24, 1776.

The Congress met,

And the journal of yesterday was read.

Mr. John Rutledge, from the Committee to prepare a plan or form of government, in addition to their former partial report made a further report;

And the said further report being taken into immediate consideration, and amended, and the whole report being gone through,

Ordered, That the same be forthwith fairly engrossed upon royal paper, and laid before the Congress.

Resolved, That Gabriel Manigault, Thomas Smith, John Scott sen. Samuel Prioleau sen. Lionel Chalmers, Esquires, and Messrs. Benjamin Baker, Richard Munceff, Thomas Young, and William Banbury, be, and they are hereby appointed Commissioners, they, or any five of them, to appraise and value the houses in Charles-Town; in order that if, during the

the present unnatural civil war, any of those houses should be damaged or destroyed, and any recompence should hereafter be thought proper to be made, such owners of them as shall be in readiness, by arms, to defend Charles-Town, and widows and orphans, may be recompensed accordingly. And that the said Commissioners, or a majority of them, as aforesaid, shall upon oath, and as soon as possible, make return of the said appraisement, together with the names of the proprietors or inhabitants of the houses respectively that are abandoned.

Resolved, That the same allowance as has been heretofore granted to the delegates of this colony be given to the delegates now representing and to represent this colony in the Continental Congress.

Resolved, That the thanks of this Congress be forthwith, by Mr. President, presented by letter to Col. Richard Richardson, for the very important and signal services he has rendered to his country, and to the common cause, by putting a stop to the late dangerous and alarming insurrection, which the enemies of America had excited in the interior parts of the colony; desiring the colonel to signify the thanks of this Congress also to the officers and men who were under his command upon that expedition.

Resolved also, That the thanks of this Congress be returned to Major Andrew Williamson, for his important services on the same occasion.

And Major Williamson being present in Congress, received thanks accordingly.

Resolved, That Mr. President be desired to transmit the thanks of this Congress to Major James Mayson,

Mayson, for his services upon the late expedition under Col. Richardson.

Resolved, That the thanks of this Congress be returned to Stephen Bull, Esq; of Sheldon, Colonel of the Granville county regiment of militia, for his important services in the command of the colony forces in Savannah; and that he be desired to signify the same to the officers and men then under his command.

And thanks were accordingly returned to Col. Bull.

Adjourned to nine o'clock to-morrow.

MONDAY, MARCH 25, 1776.

The Congress met,

And the journal of yesterday was read.

The report of the Committee to prepare proper rules and articles for the government of the navy of this colony being taken into consideration,

The said rules were amended, and agreed to.

Ordered, That the Secretary do forthwith cause a proper number of copies of the said rules and articles to be printed, for the use of the navy of this colony.

Resolved, That every officer who actually keeps a servant, and does not take a soldier from the regiment to wait on him, shall be allowed a ration of provision for such servant per day.

Ordered, That Capt. Williams, Capt. Winn, Mr. Loockock, Mr. Prince, Col. Wofford, and Mr. Beard, be a Committee to consider and report proper places in the interior parts of the colony, at which the election of members of Congress, or of the General Assembly, should be held, where such places are not already appointed, or where those already appointed may be improper or inconvenient; and allo

of proper persons to attend and receive the votes of the electors.

Adjourned to nine o'clock to-morrow.

TUESDAY, MARCH 26, 1776.

The Congress met,

And the journal of yesterday was read.

The Committee to whom the petition of David Duncan was referred, reported, That they had, to the satisfaction of both parties, settled the dispute between him and Mrs. Lingard.

The engrossed copy of "a constitution or form of government" being laid before the Congress,

Ordered, That Col. C. C. Pinckney and Mr. Salvador be a Committee to examine and compare the same with the rough draught thereof.

George King, Esq; was returned duly elected on the 6th instant, as a representative for the parish of St. Matthew, in the room of Tacitus Gaillard, Esq; who had declined serving.

On motion to establish a proper rank between the officers of the land and sea forces of this colony;

Whereas it is expedient for the public service, that a proper rank should be established between the officers in the navy, and between the officers in the navy and the officers in the land forces of this colony: Therefore it is

Resolved, That rank be established in the following manner;

The captain of a ship or frigate of not less than twenty guns, all not less than nine-pounders, of three years standing, to rank with a colonel.

The captain of a ship or frigate as aforesaid, of less than three years standing, to rank with a lieutenant-colonel.

The captain of a ship that does not carry twenty
O guns,

guns, all not less than nine-pounders, to rank with a major.

The master or commander of a snow or brigantine, schooner or sloop, each carrying not less than fifty men, to rank with a captain of foot; and,

Lieutenants in the navy to rank with lieutenants of foot.

Col. C. C. Pinckney reported, That he, with Mr. Salvador, had carefully examined the engrossed copy of the constitution or form of government, and that they found it correct.

Ordered, That the following title be prefixed to the engrossed copy:

“ *South Carolina.*

“ In a CONGRESS begun and holden at Charles-
 “ Town on Wednesday the first Day of
 “ November one thousand seven hundred
 “ and seventy-five, and continued, by divers
 “ adjournments, to Tuesday the twenty-sixth
 “ day of March one thousand seven hundred
 “ and seventy-six.”

“ A CONSTITUTION or Form of
 “ Government agreed to, and resolved
 “ upon, by the Representatives of South-
 “ Carolina,

Resolved, That Michael Kalteisen, Esq; while he continues to discharge the duties of commissary of military stores for the regular forces, be allowed a pay of forty shillings per day for that service.

The Committee to whom the memorial of sundry inhabitants on Savannah-river, Great Rocky-creek, and places adjacent, was referred, delivered in a report,

And the said report being taken into immediate consideration, was agreed to.

Resolved,

Resolved, That Fort-Royal, about eighteen miles above Fort-Charlotte on Savannah-river, on the frontiers of this colony, is advantageously situated for the security of the inhabitants, in case of an Indian war either with the Creeks or Cherokees. That Major Williamson, Capt. Bowie, Capt. Andrew Pickens, Adam-Crain Jones, Esq; and Mr. Rapley, be, and they are hereby appointed Commissioners, they, or a majority of them, to view the said fort, and to report upon oath, at the next meeting of Congress or General Assembly, the state thereof, the expence of building it, and the damage done to the owner of the land.

Resolved, That the paymaster to the two regiments of riflemen be allowed a daily pay of three pounds and ten shillings.

Ordered, That the engrossed copy of the constitution or form of government, with the title prefixed, be now read;

And the same being read, is as follows:

“ South-Carolina.

“ In a CONGRESS begun and holden at Charles-Town on Wednesday the first day of November one thousand seven hundred and seventy-five, and continued, by divers adjournments, to Tuesday the twenty-sixth day of March one thousand seven hundred and seventy-six.”

A Constitution or Form of Government agreed to, and resolved upon, by the Representatives of South-Carolina.

WHEREAS the British Parliament, claiming of late years a right to bind the North-American Colonies by law, in all cases whatsoever, have enacted statutes for raising a revenue in those colonies,

nies, and disposing of such revenue as they thought proper, without the consent, and against the will of the colonists. And whereas it appearing to them, that (they not being represented in Parliament) such Claim was altogether unconstitutional, and, if admitted, would at once reduce them from the rank of Freemen to a state of the most abject Slavery; the said colonies, therefore, severally remonstrated against the passing, and petitioned for the repeal of those acts—but in vain. And whereas the said claim being persisted in, other unconstitutional and oppressive statutes have been since enacted, by which the powers of the Admiralty Courts in the colonies are extended beyond their ancient limits, and jurisdiction is given to such Courts in cases similar to those which in Great-Britain are triable by jury—Persons are liable to be sent to, and tried in, Great-Britain, for an offence created and made capital by one of those statutes, though committed in the colonies—The harbour of Boston was blocked up—People indicted for murder in the Massachusetts-Bay may, at the will of the Governor, be sent for trial to any other colony, or even to Great Britain—The chartered constitution of government in that colony is materially altered—The English laws and a free government, to which the inhabitants of Quebec were intitled by the King's Royal Proclamation, are abolished; and French laws are restored; the Roman Catholic Religion (although before tolerated and freely exercised there) and an absolute government are established in that province, and its limits extended through a vast tract of country, so as to border on the free Protestant English Settlements, with design of using a whole people, differing in religious principles from the neighbouring colonies,
and

and subject to arbitrary power, as fit instruments to over awe and subdue the colonies. And whereas the Delegates of all the colonies on this continent, from Nova Scotia to Georgia, assembled in a General Congress at Philadelphia, in the most dutiful manner laid their complaints at the foot of the throne, and humbly implored their Sovereign, that his royal authority and interposition might be used for their relief from the grievances occasioned by those statutes, and assured his Majesty, that harmony between Great-Britain and America, ardently desired by the latter, would be thereby immediately restored, and that the colonists confided in the magnanimity and justice of the King and Parliament for redress of the many other grievances under which they laboured. And whereas, these complaints being wholly disregarded, statutes still more cruel than those abovementioned have been enacted, prohibiting the intercourse of the colonies with each other, restricting their trade, and depriving many thousands of people of the means of subsistence, by restraining them from fishing on the American coast. And whereas large fleets and armies having been sent to America, in order to enforce the execution of those laws, and to compel an absolute and implicit submission to the will of a corrupt and despotic administration, and in consequence thereof hostilities having been commenced in the Massachusetts-Bay, by the troops under command of General Gage, whereby a number of peaceable, helpless, and unarmed people, were wantonly robbed and murdered; and there being just reason to apprehend that like hostilities would be committed in all the other colonies, the colonists were therefore driven to the necessity of taking up arms to repel force by force, and to defend

send themselves and their properties against lawless invasions and depredations. Nevertheless, the Delegates of the said colonies, assembled in another Congress at Philadelphia, anxious to procure a reconciliation with Great Britain upon just and constitutional principles, supplicated his Majesty to direct some mode by which the united applications of his faithful colonists might be improved into a happy and permanent reconciliation; that in the mean time measures might be taken for preventing the further destruction of their lives; and that such statutes as immediately distressed any of the colonists might be repealed. And whereas, instead of obtaining that justice to which the colonists were and are of right intitled, the unnatural Civil War, into which they were thus precipitated, and are involved, hath been prosecuted with unremitted violence; and the Governors, and others bearing the Royal Commission in the colonies, having broken the most solemn promises and engagements, and violated every obligation of honour, justice, and humanity, have caused the persons of divers good people to be seized and imprisoned, and their properties to be forcibly taken and detained, or destroyed, without any crime or forfeiture—excited domestic insurrections—proclaimed freedom to servants and slaves—enticed or stolen them from, and armed them against, their masters—instigated and encouraged the Indian nations to war against the colonies—dispensed with the law of the land, and substituted the law-martial in its stead—killed many of the colonists—burned several towns, and threatened to burn the rest; and daily endeavour, by a conduct which has sullied the British arms, and would disgrace even savage nations, to effect the ruin and destruction of the colonies. And whereas

a statute hath been lately passed, whereby, under pretence that the said colonies are in open rebellion, all trade and commerce whatsoever with them is prohibited—vessels belonging to their inhabitants trading in, to, or from the said colonies, with the cargoes and effects on board such vessels, are made lawful prize, and the masters and crews of such vessels are subjected, by force, to act on board the King's ships, against their country and dearest friends; and all seizures and detention, or destruction of the persons and properties of the colonists, which have at any time been made, or committed, for withstanding or suppressing the said pretended rebellion, and which shall be made in pursuance of the said act, or for the service of the public, are justified; and persons suing for damages in such cases are, on failing in their suits, subjected to payment of very heavy expences. And whereas large reinforcements of troops and ships have been ordered, and are daily expected in America, for carrying on war against each of the United Colonies, by the most vigorous exertions. And whereas, in consequence of a plan recommended by the Governors, and which seems to have been concerted between them and their ministerial masters, to withdraw the usual officers, and thereby loosen the bands of government, and create anarchy and confusion in the colonies, Lord William Campbell, late Governor, on the 15th day of September last dissolved the General Assembly of this colony, and no other hath since been called, although by law, the sitting and holding of General Assemblies cannot be intermitted above six months; and having used his utmost efforts to destroy the lives, liberties, and properties of the good people here, whom by the duty of his station he was bound to protect, withdrew himself from the colony, and carried off the Great Seal
and

and the Royal Instructions to Governors. And whereas the Judges of the Courts of Law here have refused to exercise their respective functions, so that it is become indispensably necessary, that during the present situation of American affairs, and until an accommodation of the unhappy differences between Great-Britain and America can be obtained (an event which, though traduced and treated as rebels, we still earnestly desire) some mode should be established by common consent, and for the good of the people, *the origin and end of all government*, for regulating the internal polity of this colony, THE CONGRESS, being vested with powers competent for the purpose, and having fully deliberated touching the premises, do therefore *Resolve*,

I. That this Congress, being a full and free representation of the people of this colony, shall henceforth be deemed and called The General Assembly of South-Carolina, and as such shall continue until the twenty-first day of October next, and no longer.

II. That the General Assembly shall out of their own body elect, by ballot, a Legislative Council, to consist of thirteen members (seven of whom shall be a Quorum) and to continue for the same time as the General Assembly.

III. That the General Assembly, and the said Legislative Council, shall jointly choose by ballot, from among themselves, or from the people at large, a President and Commander in Chief, and a Vice President of the colony.

IV. That a member of the General Assembly, being chosen and acting as President and Commander in Chief, or Vice-President, or one of the Legislative Council, shall vacate his seat in the General Assembly, and another person shall be elected in his room; and if one of the Legislative Council is chosen President
and

and Commander in Chief, or Vice-President, he shall lose his seat, and another person shall be elected in his stead.

V. That there be a Privy Council, whereof the Vice-President of the colony shall of course be a member and President of the Privy Council, and that six other members be chosen by ballot, three by the General Assembly, and three by the Legislative Council. Provided always, That no officer of the army, or navy, in the service of the Continent, or of this colony, shall be eligible. And a member of the General Assembly or of the Legislative Council being chosen of the Privy Council shall not thereby lose his seat in the General Assembly or Legislative Council, unless he be elected Vice-President of the colony, in which case he shall, and another person shall be chosen in his stead. The Privy Council (of which four to be a Quorum) to advise the President and Commander in Chief when required; but he shall not be bound to consult them, unless in cases after-mentioned.

VI. That the qualifications of the President and Commander in Chief, and Vice-President of the colony, and members of the Legislative and Privy Council, shall be the same as of members of General Assembly; and on being elected, they shall take an oath of qualification in the General Assembly.

VII. That the legislative authority be vested in the President and Commander in Chief, the General Assembly, and Legislative Council. All Money Bills for the support of government shall originate in the General Assembly, and shall not be altered or amended by the Legislative Council, but may be rejected by them. All other Bills and ordinances may take rise in the General Assembly or Legislative Council, and be altered, amended, or rejected by either. Bills, having passed the General Assembly and Legislative
P Council,

Council, may be assented to, or rejected by the President and Commander in Chief; having received his assent, they shall have all the force and validity of an Act of General Assembly of this colony. And the General Assembly and Legislative Council respectively shall enjoy all other privileges which have at any time been claimed or exercised by the Commons House of Assembly; but the Legislative Council shall have no power of expelling their own members.

VIII. That the General Assembly and Legislative Council may adjourn themselves respectively, and the President and Commander in Chief shall have no power to adjourn, prorogue, or dissolve them, but may, if necessary, call them before the time to which they shall stand adjourned. And where a bill has been rejected, it may, on a meeting after an adjournment, for not less than three days, of the General Assembly and Legislative Council, be brought in again.

IX. That the General Assembly and the Legislative Council shall each choose their respective Speakers, and their own officers, without controul.

X. That if any Member of the General Assembly, or of the Legislative Council, shall accept any place of emolument, or any commission (except in the militia) he shall vacate his seat, and there shall thereupon be a new election, but he shall not be disqualified from serving upon being re-elected.

XI. That on the last Monday in October next, and the day following, and on the same days of every second year thereafter, Members of the General Assembly shall be chosen, to meet on the first Monday in December then next, and continue for two years from the said last Monday in October. The General Assembly to consist of the same number of Members as this Congress does, each parish and district having the same representation as at present, viz,

The

The Parishes of St. Philip and St. Michael, Charles-Town, thirty members.

The parish of Christ-Church, six members.

The parish of St. John, in Berkley County, six members.

The parish of St. Andrew, six members.

The parish of St. George, Dorchester, six members.

The parish of St. James, Goose-Creek, six members.

The parish of St. Thomas and St. Dennis, six members.

The parish of St. Paul, six members.

The parish of St. Bartholomew, six members.

The parish of St. Helena, six members.

The parish of St. James, Santee, six members.

The parish of Prince George, Winyah, six members.

The parish of Prince Frederick, six members.

The parish of St. John, in Colleton-County, six members.

The parish of St. Peter, six members.

The parish of Prince William, six members.

The parish of St. Stephen, six members.

The District to the Eastward of Wateree River, ten members.

The District of Ninety-Six, ten members.

The District of Saxe-Gotha, six members.

The District between Broad and Saludy Rivers, in three divisions, viz.

The Lower District, four members; the Little River District, four members; the Upper or Spartan District, four members.

The District between Broad and Catawba Rivers, ten members.

The District called the New Acquisition, ten members.

The parish of St. Matthew, six members.

The parish of St. David, six members.

The District between Savannah-River, and the North Fork of Edisto, six members.

And the election of the said members shall be conducted, as near as may be, agreeable to the directions of the election act; and where there are no churches or churchwardens in a district or parish, the General Assembly, at some convenient time before their expiration, shall appoint places of election; and persons to receive votes and make returns. The qualification of electors shall be the same as required by law; but persons having property, which, according to the rate of the last preceding tax, is taxable at the sums mentioned in the election act, shall be intitled to vote, though it was not actually taxed, having the other qualifications mentioned in that act. Electors shall take an oath of qualification, if required by the returning officer. The qualification of the elected to be the same as mentioned in the election act, and construed to mean clear of debt.

XII. That if any parish or district neglects or refuses to elect members, or, if the members chosen do not meet in General Assembly, those who do meet shall have the powers of the General Assembly. Not less than forty-nine members shall make a house to do business, but the Speaker, or any seven members, may adjourn from day to day.

XIII. That as soon as may be after the first meeting of the General Assembly, the President and Commander in Chief, a Vice-President of the colony and Privy Council, shall be chosen in manner and for the time above-mentioned; and till such choice shall be made, the former President and Commander in Chief, and Vice-President of the colony and Privy Council, shall continue to act as such.

XIV. That in case of the death of the President and Commander in Chief, or his absence from the colony, the Vice-President of the colony shall succeed to his office, and the Privy Council shall choose out of

their own body a Vice-President of the colony. And in case of the death of the Vice-President of the colony, or his absence from the colony, one of the Privy Council, to be chosen by themselves, shall succeed to his office, until a nomination of those offices respectively by the General Assembly and Legislative Council for the remainder of the time for which the officer so dying or being absent was appointed.

XV. That the Delegates of this colony in the Continental Congress be chosen by the General Assembly and Legislative Council jointly by ballot in the General Assembly.

XVI. That the Vice-President of the colony and the Privy Council, or the Vice-President and a majority of the Privy Council for the time being, shall exercise the powers of a Court of Chancery. And there shall be an Ordinary, who shall exercise the powers heretofore exercised by that officer in this colony.

XVII. That the jurisdiction of the Court of Admiralty be confined to maritime causes.

XVIII. That all suits and process depending in any Courts of Law or Equity may, if either party shall be so inclined, be proceeded in and continued to a final ending, without being obliged to commence *de novo*. And the judges of the Courts of Law shall cause jury-lists to be made, and juries to be summoned, as near as may be, according to the directions of the General Assembly in such cases provided.

XIX. That Justices of the Peace shall be nominated by the General Assembly and commissioned by the President and Commander in Chief, during pleasure. They shall not be entitled to Fees except on prosecutions for felony; and, not acting in the magistracy, they shall not be intitled to the privileges allowed to them by law.

XX. That all other judicial officers shall be chosen
by

by ballot jointly by the General Assembly and Legislative Council, and except the Judges of the Court of Chancery, commissioned by the President and Commander in Chief, during good behaviour; but shall be removed on address of the General Assembly and Legislative Council.

XXI. That the Sheriffs, qualified as by law directed, shall be chosen in like manner by the General Assembly and Legislative Council, and commissioned by the President and Commander in Chief for two years only.

XXII. That Commissioners of the Treasury, the Secretary of the colony, the Register of Mesne Conveyances, Attorney General, and Powder Receiver, be chosen by the General Assembly and Legislative Council jointly by ballot, and commissioned by the President and Commander in Chief, during good behaviour; but shall be removed on address of the General Assembly and Legislative Council.

XXIII. That all Field Officers in the army, and all Captains in the navy, shall be by the General Assembly and Legislative Council chosen jointly by ballot, and commissioned by the President and Commander in Chief; and that all other officers in the army and navy shall be commissioned by the President and Commander in Chief.

XXIV. That in case of vacancy in any of the offices above directed to be filled by the General Assembly and Legislative Council, the President and Commander in Chief, with the advice and consent of the Privy Council, may appoint others in their stead, until there shall be an election by the General Assembly and Legislative Council to fill those vacancies respectively.

XXV. That the President and Commander in Chief, with the advice and consent of the Privy Council, may

may appoint during pleasure, until otherwise directed by resolution of the General Assembly and Legislative Council, all other necessary officers, except such as are by law directed to be otherwise chosen.

XXVI. That the President and Commander in Chief shall have no power to make war or peace, or enter into any final treaty, without the consent of the General Assembly and Legislative Council.

XXVII. That if any parish or district shall neglect to elect a member or members on the day of election, or in case any person chosen a member of the General Assembly shall refuse to qualify and take his seat as such, or die, or depart the colony, the said General Assembly shall appoint proper days for electing a member or members of the said General Assembly in such cases respectively. And on the death of a member of the Legislative, or Privy Council, another member shall be chosen in his room, in manner abovementioned for the election of members of the Legislative and Privy Council respectively.

XXVIII. That the resolution of the Continental Congress now of force in this colony shall so continue, until altered or revoked by them.

XXIX. That the resolutions of this, or any former Congress of this colony, and all laws now of force here (and not hereby altered) shall so continue until altered or repealed by the Legislature of this colony, unless where they are temporary, in which case they shall expire at the times respectively limited for their duration.

XXX. That the executive authority be vested in the President and Commander and Chief, limited and restrained as aforesaid.

XXXI. That the President and Commander in Chief, Vice-President of the colony, and Privy Council respectively, shall have the same personal privileges

as are allowed by act of Assembly to the Governor, Lieutenant-Governor, and Privy Council.

XXXII. That all persons now in office shall hold their Commissions until there shall be a new appointment in manner above directed, at which time all Commissions not derived from authority of the Congress of this colony, shall cease and be void.

XXXIII. That all persons who shall be chosen and appointed to any office, or to any place of trust, before entering upon the execution of office shall take the following oath:

I A. B. do swear, that I will to the utmost of my power support, maintain, and defend the Constitution of South-Carolina, as established by Congress, on the 26th day of March one thousand seven hundred and seventy-six, until an accommodation of the differences between Great-Britain and America shall take place, or I shall be released from this oath by the Legislative Authority of the said colony. So help me G. O. D.

And all such persons shall also take an oath of office.

XXXIV. That the following yearly salaries be allowed to the public officers undermentioned.

The President and Commander in Chief, nine thousand pounds.

The Chief Justice and the Assistant Judges, the Salaries respectively as by act of Assembly established.

The Attorney-General two thousand and one hundred pounds, in lieu of all charges against the public, for fees upon criminal prosecutions.

The Ordinary one thousand pounds.

The three Commissioners of the Treasury, two thousand pounds each.

And all other public officers shall have the same salaries as are allowed such officers respectively by act of Assembly. By Order of the Congress.

MARCH 26, 1776.

Ordered,

Ordered, That Mr. President of the Congress do sign the same, and also the Secretary.

Which being done,

Ordered, That the Secretary do cause the same to be forthwith printed and published, and three copies delivered for every member.

Ordered, That Col. Parsons and Mr. Bee be a Committee to prepare and report the form of an oath proper to be administered to his Excellency the President and Commander in Chief, previous to his entering upon the execution of the duties of that high station.

The Constitution or Form of Government agreed to, and resolved upon, by the Representatives of South-Carolina, being signed by the President of the Congress, and attested by the Secretary,

The Members made choice of the Honourable William-Henry Drayton to be their Chairman,

And were then adjourned, as a General Assembly, to meet at five o'clock in the afternoon.

A List of Officers chosen in the manner directed by the Constitution or Form of Government agreed to, and resolved upon, by the Representatives of South-Carolina, on the 26th day of March 1776.

TUESDAY, MARCH, 26.

Members of a Legislative Council.

The Hon ^{ble}	{ Charles Pinckney, Henry Middleton, Richard Richardson, Rawlins Lowndes, Le Roy Hammond, Henry Laurens, David Oliphant, Thomas Ferguson, Stephen Bull,	} Esquires.
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Q

George

The Hon^{ble} { George-Gabriel Powell,
 { Thomas Bee,
 { Joseph Kershaw, and } Esquires.
 { Thomas Shubrick, }

President and Commander in Chief of the Colony,
 His Excellency JOHN RUTLEDGE, Esq;
Vice President of the Colony,

His Honour HENRY LAURENS, Esq;

WEDNESDAY, MARCH 27.

Chief Justice. The Hon. William Drayton, Esq;

Assistant Judges. The Hon. Thomas Bee, Esq; and
 John Mathewes and Henry Pendleton, Esqrs. —

[One still remains to be chosen in the room of Joshua
 Ward, Esq; who declined serving in that Station.]

Attorney-General. Alexander Moultrie, Esq;

Secretary of the Colony. John Huger, Esq;

Ordinary. William Burrows, Esq;

Judge of the Admiralty. Hugh Rutledge, Esq;

Register of Mesne Conveyances. George Sheed, Esq;

Sheriff of Charles-Town District. Thomas Grimbball, Esq;

Speaker of the General Assembly. The Hon. James Par-
 sons, Esq;

Clerk. Peter Timothy.

Speaker of the Legislative Council. Hon. George Ga-
 briel Powell, Esq;

Clerk. Thomas Farr jun. Esq;

*Member of the Legislative Council, in the room of His
 Honour Henry Laurens, Esquire, chosen Vice-Pre-
 sident,*

The Hon. William Moultrie, Esquire.

THURSDAY, MARCH 28.

Members of a Privy Council.

The Hon. { James Parsons,
 { William-Henry Drayton, } Esquires.
 { John Edwards, }

Charles

The Hon. } Charles Pinckney,
 } Thomas Ferguson, } Esquires,
 } Rawlins Lowndes,

[The three first named were chosen by the General Assembly, the three last by the Hon. the Legislative Council.]

Sheriffs for the Country Districts.

Edward Martin, Esq; for George-Town.

Tunes Tebout, Esq; for Beaufort.

Lewis Golson, Esq; for Orangeburg.

Robert Stark, Esq; for Ninety-Six.

John Wyly, Esq; for Camden.

Henry-William Harrington, Esq; for Cheraws.

Mr. Tebout and Mr. Golson having respectively desired leave to decline accepting the office of Sheriff, John Rhodes, Esq; has been since appointed for Beaufort; and John James Haig, Esq; for Orangeburg. Secretary to the Privy Council. John Colcock, Esq;

On the 27th March, his Excellency the President elect, being then present in the General Assembly, addressed that body in nearly the following words, viz.

"Gentlemen,

"THE very great, unsolicited, and unexpected
 "honour which you have been pleased to confer on
 "me, has overwhelmed me with gratitude and concern.—Permit me to return you my most sincere
 "thanks for so distinguishing and unmerited a mark
 "of your confidence and esteem. I have the deepest
 "sense of this honour—The being called, by the free
 "suffrages of a brave and generous people, to pre-
 "side over their welfare, is, in my opinion, the high-
 "est any man can receive: but, dreading the weighty
 "and arduous duties of this station, I really wish that
 "your choice had fallen upon one better qualified
 "to discharge them; for though in zeal and integrity I will yield to no man, in abilities to serve
 "you

" you I know my inferiority to many: since, how-
 " ever, this, Gentlemen, is your pleasure, although
 " I foresee, that by submitting to it I shall be rank-
 " ed, by our enemies, amongst ambitious and design-
 " ing men, by whom, they say, the people have been
 " deceived and misled; yet, as I have always thought
 " every man's best services due to his country, no fear
 " of slander, or of difficulty or danger, shall deter
 " me from yielding mine—In so perilous a season as
 " the present, I will not withhold them; but, in her
 " cause, every moment of my time shall be employed.
 " Happy, indeed, shall I be, if those services answer
 " your expectations, or my own wishes—On the can-
 " dour of my worthy countrymen I rely to put
 " the most favourable construction, as they hitherto
 " have done, upon my actions—I assure myself of
 " receiving, in the faithful discharge of my duty, the
 " support and assistance of every good man in the
 " colony; and my most fervent prayer, to the omni-
 " potent Ruler of the universe, is, that, under his
 " gracious providence, the Liberties of America may
 " be forever preserved."

Titles of ACTS and ORDINANCES passed during the
 Session.

1. *An Ordinance establishing an Oath of Office to be taken in Manner therein mentioned.*
2. *An Ordinance for making Disposition of Monies for the Support of Government; and to enable his Excellency the President and Commander in Chief of South Carolina for the Time being to execute certain Powers therein mentioned.*

Passed the 6th Day of April 1776.

3. *An Ordinance to repeal Part of an Ordinance of the General Assembly, passed the 23d Day of February 1771, "appointing Henry Perronneau and Benjamin Dart, Esqrs. Joint Public Treasurers;" and to appoint*

appoint Commissioners to take a State of the Treasury: And also to empower the said Commissioners to settle the Accounts of the late Powder Receiver.

4. An Act to increase the Number of Fire-masters in Charles Town; and to empower any Three of them to pull down such Houses or other Buildings as they shall judge necessary for the stopping and preventing the spreading of Fire.

5. An Act to punish those who shall counterfeit or utter, knowing them to be counterfeit, the Certificates by the late Houses of Assembly, or the Continental or Colonial Currency, which hath been or shall be hereafter issued.

6. An Act for the more effectual Prevention of the Desertion of Soldiers and Sailors in the Service of this Colony; and for the Punishment of those who shall harbour or conceal them; or who shall purchase, receive, or conceal the Arms, Cloaths, or Accoutrements of Deserters.

and Passed the 9th Day of April 1776.

7. An Ordinance for altering the Time of holding the ensuing Circuit Courts, and the Courts of Common Pleas and General Sessions in Charles Town; and for other Purposes therein mentioned.

8. An Ordinance to ascertain the Duties of a Muster-master-general of the Land and Naval Forces in the Service of this Colony.

9. An Act to prevent Sedition, and to punish Insurgents and Disturbers of the Public Peace.

10. An Act to empower the Court of Admiralty to have Jurisdiction in all Cases of Capture of Ships or Vessels of the Inhabitants of Great Britain, Ireland, the British West Indies, Nova Scotia, East and West Florida; and to establish the Trial by Jury in such Cases.

11. An

11. *An Act to revive and continue for the Time therein mentioned, the several Acts and Clauses of Acts of the General Assembly therein particularly mentioned; and to appropriate certain Penalties; and to confirm the Powers of the Commissioners of Roads, Paths, Bridges, Creeks, Causes, and Water Passages.*

Passed the 11th Day of April 1776.

Copy of the Speech delivered by his Excellency the PRESIDENT, at the close of the Session, 11th April, 1776.

Honourable Gentlemen of the Legislative Council,

Mr. Speaker, and Gentlemen of the General Assembly,

IT has afforded me much satisfaction to observe, that though the season of the year rendered your sitting very inconvenient; your private concerns, which must have suffered greatly by your long and close application in the late Congress to the affairs of this colony, requiring your presence in the country; yet, continuing to prefer the public weal to ease and retirement, you have been busily engaged in framing such laws as our peculiar circumstances rendered absolutely necessary to be passed before your adjournment.—Having given my assent to them, I presume you are now desirous of a recess,

On my part a most solemn oath has been taken for the faithful discharge of my duty.—On yours a solemn assurance has been given to support me therein.—Thus a public compact between us stands recorded.—You may rest assured, that I shall keep this oath ever in mind—the Constitution shall be the invariable rule of my conduct—my ears shall be always open to the complaints of the injured—Justice, in mercy, shall neither be denied or delayed.—Our Laws and Religion, and the Liberties of America, shall

be maintained and defended to the utmost of my power.—I repose the most perfect confidence in your engagement.

And now, *Gentlemen*, let me intreat that you will in your several parishes and districts use your influence and authority to keep peace and good order, and procure strict observance of, and ready obedience to the Law.—If any persons therein are still strangers to the nature and merits of the dispute between Great Britain and the Colonies, you will explain it to them fully, and teach them, if they are so unfortunate as not to know, their inherent Rights.—Prove to them that the Privileges of being tried by a jury of the vicinage, acquainted with the parties and witnesses; of being only taxed with their own consent, given by their Representatives, freely chosen by, and sharing the burthen equally with themselves, not for the aggrandizing a rapacious minister and his dependent favourites, and for corrupting the people and subverting their Liberties, but for such wise and salutary purposes as they themselves approve; and of having their internal polity regulated only by laws consented to by competent judges of what is best adapted to their situation and circumstances, equally bound too by those laws, are inestimable, and derived from that Constitution, which is the birthright of the poorest man, and the best inheritance of the most wealthy.—Relate to them the various unjust and cruel statutes which the British Parliament, claiming a right *to make laws for binding the colonies in all cases whatsoever*, have enacted, and the many sanguinary measures which have been, and are daily pursued and threatened, to wrest from them those invaluable benefits, and to enforce such an unlimited and destructive claim. To the most illiterate it must appear, that no power on earth can, of right, deprive them of the hard-earned

earned fruits of their honest industry, toil, and labour—even to them, the impious attempt to prevent many thousands from using the means of subsistence provided for man by the bounty of his Creator, and to compel them by famine to surrender their rights, will seem to call for Divine Vengeance—The endeavours by deceit and bribery to engage barbarous nations to embrue their hands in the innocent blood of helpless women and children, and the attempts by fair, but false promises, to make ignorant domestics subservient to the most wicked purposes, are acts at which Humanity must revolt.

Shew your constituents then the indispensable necessity which there was for establishing some mode of government in this colony; the benefits of *that* which a full and free representation has established; and that the consent of the people is the origin, and their happiness the end of government—Remove the apprehensions with which honest and well-meaning, but weak and credulous minds may be alarmed, and prevent ill impressions by artful and designing enemies—Let it be known that this constitution is but temporary—till an accommodation of the unhappy differences between Great-Britain and America can be obtained; and that such an event is still desired by men who yet remember former friendships and intimate connections, though for defending their persons and properties they are stigmatized and treated as Rebels.

Truth being known will prevail over artifice and misrepresentation—conviction must follow its discovery—In such a case, no man who is worthy of life, liberty, or property, will or can refuse to join you in defending them to the last extremity—Disdaining every sordid view, and the mean paltry considerations of private interest and present emolument, when placed

placed in competition with the liberties of millions; and seeing that there is no alternative but absolute unconditional submission, and the most abject slavery, or a defence becoming men born to freedom, he will not hesitate about the choice—Although superior force may, by the permission of Heaven, lay waste our towns and ravage our country, it can never eradicate from the breasts of freemen those principles which are ingrafted in their very nature—such men will do their duty, neither knowing or regarding consequences, but submitting them, with humble confidence, to the Omniscient and Omnipotent Arbiter and Director of the fate of empires, and trusting that his Almighty arm, which has been so signally stretched out for our defence, will deliver them in a righteous cause.

The eyes of Europe, nay of the whole world, are on America—The eyes of every other colony are on this—a colony, whose reputation for generosity and magnanimity is universally acknowledged. I trust, therefore, it will not be diminished by our future conduct; that there will be no civil discord here; and that the only strife amongst brethren will be, who shall do most to serve and to save an oppressed and injured country.

JOHN RUTLEDGE.

List of Magistrates nominated by the General Assembly,

MARCH 30, 1776.

Justices Quorum Unus.

THE Members of the Legislative Council, the Members of the Privy Council, the Judges of the Court of Common Pleas, the Judge of the Admiralty, and the Speaker of the General Assembly,

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all for the time being respectively; John Drayton, Christopher Gadsden, Paul Trapier, Claudius Pegues, John Chesnut, John-James Haig, Richard Rapley, and Benjamin Garden, Esqrs.

Justices for Charles-Town District.

James Akin, Nathaniel Broughton, Edmund Bel-
linger, Richard-Bohun Baker, Joseph Bee, Elias Ball
jun. John Boone, John Brailsford, William Boone,
Capers Boone, Peter Bounetheau, James Carsan,
Andrew Cunningham, William Cattell, Lionel Chal-
mers, Isham Clayton, James Clark, John Coram,
Charles Cantey, Gabriel Capers, James Donnom,
Paul Douxfaint, Levi Durand, John-Sandford Dart,
William Dewitt, John Drake, John Deas, Samuel
Elliot, Thomas Evance, John Frierfon, Alexander
Frafer, Thomas Fuller, Benjamin Fuller, Nathaniel
Fuller, John Fullerton, Frederick Grimke, Culcheth
Gibbes, Joseph Glover, William Gibbes, Robert
Gibbes, Melchior Garner, John Gaillard, Thomas
Heyward, Thomas Hutchinson, Daniel Horry,
John Huger, William Hopton, George Haig,
Richard Hutson, James Hamilton, William Hort,
Edward Jerman, Ralph Izard, John Izard, Benja-
min Jenkins, Joseph Jenkins jun. William Jenkins,
Thomas Lynch, Gabriel Gignilliat, Thomas Lynch
jun. Andrew Leitch, William Logan, James Lynah,
John Livingston, James Laroche, Isaac Legaré,
Thomas Ladson, *John's Island*; Gabriel Manigault,
Arthur Middleton, Gabriel Marion, Jacob Motte,
John Moore, Isaac Mazyck, Hezekiah Maham, Job
Marion, Joseph Maybank, Peter Mouzon, William
Mason, William Massey, Benjamin Marion jun.
Ephraim Mitchell, William Morgan, Robert Murril,
Ephraim Mikell, James Murray, Sampson Neylé,
Hopkin Price, John Pamor, John Parker, Philip
Porcher,

Porcher, Isaac Porcher, William Parker, John Poaug, Hopson Pinckney, James Reid, James-Lytton Richards, James Ravenell, Isaac Rivers, David Reynolds, George Sheed, Thomas Smith, James Stobo, James Skirving, Jonathan Scott, William Scott, Henry Smith, Philip Smith, Jeremiah Savage, Joseph Seabrook, Benjamin Smith, Benjamin Simons, John Syme, Peter Sinckler, James Skirving jun. William Swinton, Maurice Simons, James Smith, John Scott (son of Jonathan), Richard-Park Stobo, Joseph Slann, Charles Shepheard, William Stanyarne, James Sinckler, Thomas Turner, John Troup, Joshua Toomer, Edward Thomas jun. Arnoldus Vanderhorst, Robert Williams, Robert Williams jun. Sims White, John Wright, Richard Withers, Abraham Waight, Benjamin Waring, John Wigfall, Joseph Wigfall, Peter Witten, Richard Walter, John Wilson, *Wadmelab*, Francis Yonge, Esqrs.

Justices for Beaufort District.

Andrew Aggnew, John-Lewis Bourquin, John Bull, William Brisbane, Pierce Butler, Joseph Brailford, John Barnwell jun. Nathaniel Barnwell, John Chisolm, Bellamy Crawford, Cornelius Dupont, Edward Davies, William Elliott, John Fripp sen. David Giroud, Benjamin Guerard, Richard Guerard, Godin Guerard, James Gignilliatt, William Harden, William Hazard, Thomas Hughes, John Joiner, Adrin Mayer, John Mitchell, Samuel Porcher, Richard Proctor, Hugh Rose, Thomas Rivers, William Ross, William Reynolds, Thomas Rutledge, Daniel de Sauffure, William Stoutenburgh, James Thomson, William Waight, Esquires.

Justices for George-Town District.

Joseph Allston, Josias Allston, William Allston jun. Anthony Bonneau, Abraham Buckholts, John Brockington,

ington, Capers Boone, Daniel Huger, Francis Britton, John Baxter jun. *Kingston*; James Carey, Alexander Chovin, Samuel Dwight, Thomas Emes, Charles Fyffe, Benjamin Gause, Hugh Giles, Daniel Horry, Robert Herriot, Elias Horry jun. Dennis Henkins, Thomas Henning, John James, Thomas Lynch, Isaac Marion, William Mason, Archibald M'Donald, Adam M'Donald, James M'Donald, William Michau, Samuel Nesmith, John Plowden, Thomas Port, Job Rothmahler, William Snow, Benjamin Screven, Peter Simons, Paul Trapier jun. Samuel Wragg, Anthony White, John Witherspoon, William Wilson, Gavin Witherspoon, Esquires.

Justices for Orangeburg District.

George Ancrum, William Arthar, Jonas Beard, Samuel Boykin, Richard Brown, Donald Bruce, Peter Corbin, James Cornelly, Malcolm Clark, Isham Clayton, John Chesnut, Michael Dickart, Benjamin Farrar, John Fairchild, Lewis Gofson, Tacitus Gailliard, Ralph Humphries, Househill, David Holmes, William Houfell, John Kensalow, Michael Leitner, Ephraim Mikell, David Pou, Henry Patrick, James Pritchard, Samuel Rowe, Michael-Christopher Rowe, Jacob Richman, George Robinson, John Savage, Arthur Simkins, George Strawther, William Thompson, William Tucker, Thomas Young.

Justices for Ninety-Six District.

William Anderson, David Anderson, Robert Anderson, John Bowie, Patrick Calhoun, William Calhoun, John Caldwell, John Calwell, *Enoree*, Jonathan Downs, John Delahöwe, John Fairchild, John Ford, John-Lewis Gervais, James Griffin sen. Thomas Gordon, William Henderson, Elias Hollingsworth, David Holmes, James Hamilton, John Johnston jun.

Adam-

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